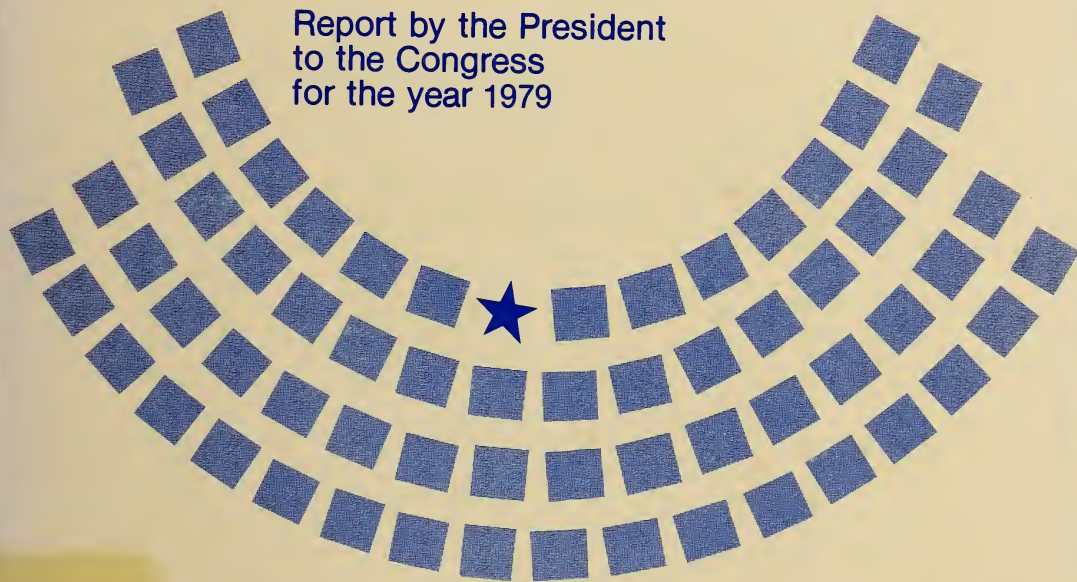


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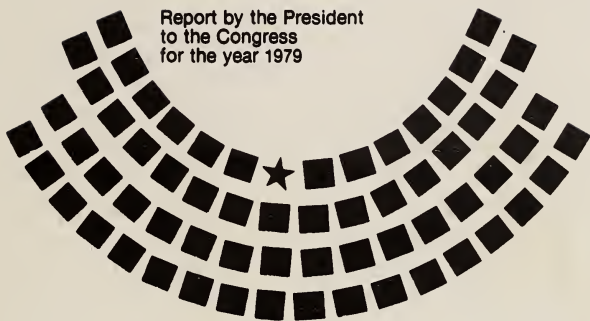
Report by the President
to the Congress
for the year 1979





United States Participation in the UN

Report by the President
to the Congress
for the year 1979



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Bureau of International Organization Affairs

TO THE CONGRESS OF THE UNITED STATES:

I am pleased to transmit to the Congress this report of the activities of the United States Government in the United Nations and its affiliated agencies during calendar year 1979.

The international crisis created by the seizure of the American Embassy in Tehran and the taking of Americans hostage overshadowed much of the 34th General Assembly. In this atmosphere, the United States directed its efforts in the United Nations toward supporting the work of the Secretary General and the Security Council to resolve this breach of international law. The Secretary General brought the issue to the Council which unanimously called upon the Government of Iran to release the hostages. Ironically, after three years of negotiations, the Assembly adopted by consensus the Convention Against the Taking of Hostages. This Convention affirms that there is no valid excuse for the taking of hostages and that there are no circumstances under which the seizure of hostages can be condoned.

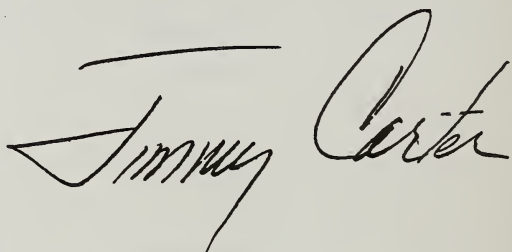
Both the Security Council and the General Assembly focussed international attention on the continued military occupation of Kampuchea by Vietnam. Of particular note during 1979 was the Security Council's termination of sanctions against Southern Rhodesia, a result of the agreement by the Lancaster House Conference.

On economic issues, UN actions ranged from highly technical meetings such as those on commodities, to continuing the work of the International Monetary Fund and to political discussions in the General Assembly on the future of international economy and development.

These discussions, attended by almost all UN members, saw a continuous, intense, and sometimes acrimonious series of exchanges between the developed and developing countries on the organization of the international economy, the nature of international economic relations, and the effects of both on economic development. This resulted in the decision by the 34th General Assembly to hold further meetings on these issues. We believe that negotiations of this kind and at this level are important and necessary to relations between developed and developing countries. However, whether the U.S. participates in these global negotiations will depend on how effectively we use but do not intrude upon the agencies of the UN and other international organizations.

The United States continues to monitor closely UN expenditures and programs and supports the Secretary General's efforts to limit budget growth.

Our participation in the United Nations and its related agencies and programs is an integral part of our foreign policy. As this report makes clear, the United Nations system of organizations is important and sometimes indispensable to the achievement of many of our central foreign policy objectives. This report should contribute to American understanding of and support for the United Nations and to the continuing active and constructive role of the United States.

A handwritten signature in dark ink, reading "Jimmy Carter". The signature is written in a cursive style, with a long horizontal line above the first name and a large, looping "C" for the last name.

THE WHITE HOUSE,
January 7, 1981.

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Acronyms and Short Forms

AID	U.S. Agency for International Development
ACABQ	Advisory Committee on Administrative and Budgetary Questions
ACC	Administrative Committee on Coordination
Committee of 24	Special Committee on the Situation With Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples
CCD	Conference of the Committee on Disarmament
CIEC	Conference on International Economic Cooperation
CSCE	Conference on Security and Cooperation in Europe
EC	European Communities
ECA	Economic Commission for Africa
ECE	Economic Commission for Europe
ECLA	Economic Commission for Latin America
ECOSOC	Economic and Social Council
ECWA	Economic Commission for Western Asia
ESCAP	Economic and Social Commission for Asia and the Pacific
FAO	Food and Agriculture Organization
GATT	General Agreement on Tariffs and Trade
G-77	The Group of 77
HEW	U.S. Department of Health, Education and Welfare
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development
ICAO	International Civil Aviation Organization
IDA	International Development Association
IFC	International Finance Corporation
ILO	International Labor Organization
IMCO	Intergovernmental Maritime Consultative Organization
IMF	International Monetary Fund
ITU	International Telecommunication Union
NASA	U.S. National Aeronautics and Space Administration
NATO	North Atlantic Treaty Organization
OAS	Organization of American States
OAU	Organization of African Unity
OECD	Organization for Economic Cooperation and Development
OPEC	Organization of Petroleum Exporting Countries
PLO	Palestine Liberation Organization

UNCITRAL	UN Commission on International Trade Law
UNCTAD	UN Conference on Trade and Development
UNDOF	UN Disengagement Observer Force
UNDP	UN Development Program
UNEF	UN Emergency Force
UNEP	UN Environment Program
UNESCO	UN Educational, Scientific, and Cultural Organization
UNFICYP	UN Force in Cyprus
UNHCR	Office of the UN High Commissioner for Refugees
UNICEF	UN Children's Fund
UNIDO	UN Industrial Development Organization
UNIFIL	UN Interim Force in Lebanon
UNITAR	UN Institute for Training and Research
UNRWA	UN Relief and Works Agency for Palestine Refugees in the Near East
UNSCEAR	UN Scientific Committee on the Effects of Atomic Radiation
UPU	Universal Postal Union
WFP	World Food Program
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization

Part 1

Political and Security Affairs

Under the UN Charter both the Security Council and the General Assembly are given the authority to consider international problems relating to political and security matters. Both the Assembly and the Council have established subsidiary bodies to assist them in the performance of their responsibilities.

Primary responsibility for maintaining international peace and security rests with the Security Council, which is composed of 15 members and is organized so as to allow it to function continuously. A special role within the Council is assigned to the five permanent members—China, France, the U.S.S.R., the United Kingdom, and the United States—in that the negative vote (veto) of a permanent member prevents the Security Council from taking a decision on any substantive matter. Procedural issues are not affected by the negative vote of a permanent member. The UN Charter specifically gives the Security Council the authority to take action in connection with the pacific settlement of disputes (Chapter VI) and with threats to the peace, breaches of the peace, and acts of aggression (Chapter VII). The Council may recommend action only on those matters which come under Chapter VI, but in those areas covered by Chapter VII, it may take action that is binding upon all member nations. It is under Chapter VII that sanctions may be imposed against a State.

Among the more important bodies established by the Security Council to assist it in carrying out its responsibilities are the United Nations Interim Force in Lebanon (UNIFIL), which operates along the Lebanon-Israel border, the UN Force in Cyprus (UNFICYP), and the United Nations Disengagement Observer Force (UNDOF), which operates between Israel and Syria. These peacekeeping forces were created and deployed with the consent of the governments concerned. During 1979 the Security Council renewed the mandates of UNIFIL, UNFICYP, and UNDOF. During 1979 the mandate of the United Nations Emergency Force (UNEF) in the Sinai lapsed as the result of Arab opposition to the Egypt-Israel peace treaty. In 1978 the Coun-

cil authorized the establishment of a United Nations Transition Assistance Group (UNTAG) to assist the Secretary General's Special Representative to ensure the early independence of Namibia through free and fair elections. Its formation still awaits final agreement on implementation of a Namibia settlement.

The Security Council held 77 meetings in 1979, most of which were devoted to Middle East and African issues. The Council also devoted a substantial number of meetings to the Kampuchean situation and the problem of U.S. hostages in Iran. Following the Lancaster House talks, the Council called for the sanctions against Southern Rhodesia under Chapter VII of the Charter to be terminated, dissolved the Rhodesian Sanctions Committee, and called for urgent assistance to Southern Rhodesia and the Front Line states.

Concerning Kampuchea, the Council met to consider the Vietnamese invasion of that country. Two resolutions were before the Council during its deliberations; both failed to be adopted because of a Soviet veto. One resolution would have called on all foreign forces involved in the situation in Democratic Kampuchea to observe an immediate cease-fire. The other would have called upon all parties to cease all hostilities and to withdraw their forces to their own countries.

The Council held two sets of meetings to consider complaints by Angola against South Africa following attacks by South Africa from Namibia into Angola. The Security Council adopted resolutions that demanded South Africa to cease its armed invasion against Angola and called upon South Africa to stop using Namibia to launch acts of aggression.

The Council held two sets of meetings to consider the question of Israeli settlements in occupied Arab territories. At the end of the first set, the Council established a three-member commission to examine the situation relating to settlements in Arab territories occupied since 1967, including Jerusalem. At the end of the second set of meetings, which considered the Commission's report, the Council accepted the recommendation in the Commission's report and called upon Israel to cease establishing settlements in the Arab territories.

On November 4, 1979, the U.S. Embassy was seized in Iran, and U.S. personnel were held hostage. The Council unanimously called on Iran to release the hostages and to allow them to leave the country. In December the International Court of Justice issued an order calling for the immediate release of the American hostages. The Security Council called again on Iran to release the Americans and requested the Secretary General to intensify his good offices and report back to the Council before January 7, 1980. On January 7 the Council held informal consultations to hear the Secretary General's report. The Council met on January 13 to vote on compliance with its previous

resolution. A Soviet veto prevented the approval of economic sanctions against Iran.

The Council recommended, and the General Assembly later approved, UN membership for St. Lucia, bringing the United Nation's total membership to 152 countries. It also considered the question of Western Sahara.

All UN members are represented in the General Assembly. The work of the Assembly takes place in Plenary and in seven Main Committees. Disarmament issues are considered in the First Committee. Political issues are considered in Plenary and in the Special Political Committee. The Assembly has also established a number of subsidiary bodies that meet between Assembly sessions and report to it. These reports form the foundation for much of the Assembly's work.

The 34th regular session of the General Assembly convened on September 18 and closed on January 7, 1980. It was suspended on December 20, 1979, and resumed on December 27 for further balloting in the contest between Colombia and Cuba for a seat on the Security Council. This issue was finally resolved on January 7, 1980, when Mexico was elected to the Security Council as a compromise candidate.

The 34th Assembly spent a large part of its session on southern African issues including Namibia, Rhodesia, and apartheid. It adopted 18 resolutions relating to apartheid; most of these resolutions were similar to those adopted at previous General Assemblies.

Among the most significant actions taken by the 34th General Assembly was its adoption of a resolution on Kampuchea. The resolution called attention to the humanitarian crisis in Kampuchea, stressed the need for an international relief effort, as well as for respect for the human rights and political aspirations of the Kampuchean people, and asked the Secretary General to use his good offices to seek a peaceful solution to the problem.

Another major area of discussion was disarmament. There were several disarmament items on the agenda, including an item on the review of the implementation of the recommendations and decisions adopted by the 10th special session on Disarmament in 1978. The 34th General Assembly adopted 32 resolutions on disarmament matters on such matters as implementation of the decisions of the 10th special session, nuclear issues, chemical weapons, and regional disarmament.

Other topics discussed by the 34th Assembly in the political and security areas included the peaceful uses of outer space, the Law of the Sea, Middle East issues, including Israeli practices in the occupied territories, and Cyprus. The United States considers the overall record of the 34th General Assembly to be commendable, although some actions were not constructive. For example, several

untimely resolutions detracted from negotiations in process for peace in the Middle East. One such resolution in the General Assembly disputed the right of two sovereign States to conclude a lawful treaty between themselves.

PEACEFUL SETTLEMENT

Middle East

During 1979, both the Security Council and the General Assembly were often occupied with developments in the Middle East, but the practical business of negotiation within the Camp David framework took place elsewhere. The Security Council met twice, in March and in July, to adopt resolutions criticizing Israeli settlement activity in the West Bank. The United States abstained in both votes, while maintaining the position that settlement activity in the occupied territories is illegal and an obstacle to peace. In July and August, the Security Council held controversial and sensitive meetings on the question of Palestinian rights. In the final analysis, however, the Council was unable to agree on the text of a resolution. The Council was also frequently concerned over violence in Lebanon and problems of the UN peacekeeping force in southern Lebanon. The mandate for the force, UNIFIL, was renewed twice during the year.

At its 34th regular session, the General Assembly adopted resolutions critical of the Camp David peace process, as well as resolutions critical of Israeli actions in the occupied territories. As has been the case in recent years, these resolutions were generally adopted by large majorities. A total of 70 countries joined the United States, however, in either voting against or abstaining on a resolution suggesting that the Treaty of Peace between Egypt and Israel was invalid.

SECURITY COUNCIL CONSIDERATION

Israeli Settlements in Occupied Territories

The Security Council met between March 9 and 22 at the request of Jordan to discuss the status of Jerusalem and other occupied territories as a result of Israeli policies and settlement of those territories. A request had been made by Kuwait to permit the representative of the Palestine Liberation Organization (PLO) to participate in the debate. The U.S. Representative in the Security Council, Ambassador Richard W. Petree, asked that the request be put to a vote. He stated that:

The United States has consistently stated we would not oppose a hearing for the PLO under the traditional rule 39 of the Security Council's provisional rules of procedure, but we cannot agree that it should participate in this debate with the same rights as those of a state member of the United Nations.

The proposal was put to a vote and adopted by 10 to 1 (U.S.), with 4 abstentions. After a lively debate, the Council adopted resolution 446 (1979) on March 22 by a vote of 12 to 0, with 3 abstentions (France, U.K., U.S.). The resolution affirmed that the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem; determined that the policy and practices of Israel in establishing settlements in Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a lasting peace in the Middle East; called once more upon Israel, as the occupying power, to rescind its previous measures, and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the Arab territories occupied since 1967, including Jerusalem, and in particular, not to transfer parts of its own civilian population into the occupied Arab territories; established a Commission¹ consisting of three members of the Security Council to examine the situation relating to settlements in the Arab territories, including Jerusalem; and requested the Commission to submit its report to the Security Council by July 1, 1979.

In explanation of the U.S. vote, the U.S. Representative, Ambassador James F. Leonard, stated that the resolution's content generally accorded with the frequently stated position of the United States on settlements in the occupied territories. However, certain elements of the resolution were disturbing. His Government had grave doubts about the utility of the creation of a Security Council Commission to examine the situation regarding the settlements in the occupied territories. Now that Egypt and Israel had made a first important move towards a comprehensive peace settlement in the Middle East, the United States believed it incumbent on the Security Council not to inject irritants into this process. Ambassador Leonard also restated U.S. opposition to Israeli settlements in the occupied Arab territories on the grounds that they are inconsistent with the Fourth Geneva Convention and international law.

At the meeting of July 18, the Council considered the report of the Commission, created under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem.

Meeting twice on July 20, the Council adopted a resolution concern-

¹Bolivia, Portugal, and Zambia were members of the Commission.

ing Israeli settlements during its second session of the day. By a vote of 14 to 0, with 1 (U.S.) abstention, the Council adopted resolution 452 (1979), which strongly deplored Israel's lack of cooperation with the Commission; considered that the policy of Israel in establishing settlements in the occupied Arab territories has no legal validity and constitutes a violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War; and called upon the Government and people of Israel to cease, on an urgent basis, the establishment, construction, and planning of settlements in the Arab territories occupied since 1967, including Jerusalem. Ambassador Petree, speaking in explanation of the U.S. vote, said:

The United States on a variety of occasions, has stated in forceful terms its position on the question of Israeli settlements in the occupied territories. We have stated—and I repeat here today—that we oppose these settlements.

Since this resolution, like the recommendations of the Commission which this resolution accepts and incorporates, goes beyond the question of settlements to deal with such matters as Jerusalem, the United States did not support it, and abstained.

Rights of the Palestinian People

The Security Council met on June 29, July 27, and August 23 to 24 at the request of the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to consider the subject.

On August 23 Ambassador Andrew Young announced his resignation as U.S. Ambassador to the United Nations in the aftermath of an unauthorized meeting with representatives of the Palestine Liberation Organization in New York. Ambassador Young remained in his post through the Security Council debate, which ended on August 24.

On August 24 Ambassador Fall of Senegal, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, introduced a draft resolution. This draft resolution reaffirmed past UN resolutions on the Middle East and the question of Palestine, including resolution 242 (1967), and affirmed that the Palestinian people should be enabled to exercise its inalienable rights of self-determination, national independence, and sovereignty in Palestine. The resolution also affirmed the right of Palestine refugees wishing to return to their home to do so and the right of those choosing not to return to receive compensation for their property, and that these rights should be taken fully into account in all international efforts and conferences organized within the framework of the United Nations for the establishment of a just and lasting peace in the Middle East. The Council adjourned on the same day without voting on the resolution.

On August 24, Ambassador Young, stating the position of the United States in the Council toward securing a comprehensive peace in the Middle East, said:

It is important that this Council understand our basic approach to securing a comprehensive peace in the Middle East. . . . First the current stage of the peace process, now centered on negotiations between Egypt, Israel and the United States, needs a chance to succeed. Secondly, the basis for making peace is UN Security Council Resolution 242 (1967) and 338 (1973) in their entirety. Thirdly, the right of Israel and its neighbors to live in peace, within secure and recognized borders, is fundamental; and, fourthly, the legitimate rights of the Palestinian people, including their right to participate in determining their future, must be realized.

UNIFIL and the Situation in Southern Lebanon

On January 19, 1979, by a vote of 12 (U.S.) to 0, with 2 abstentions (U.S.S.R., Czechoslovakia), with China not participating, the Security Council adopted resolution 444 (1979) renewing the mandate of the United Nations Interim Force in Lebanon (UNIFIL) for a period of 5 months. Resolution 444 deplored Israel's lack of cooperation with UNIFIL's efforts to fully implement its mandate and Israel's assistance to irregular armed groups in southern Lebanon. The Council also decided to meet within 3 months to assess the situation in south Lebanon.

In a statement following the vote, Ambassador Young said, "The action we have taken today reaffirms the determination of the international community to help the government of Lebanon to restore peace and order, as well as its sovereignty, in the south." Ambassador Young went on to express his concern and called for a halt of the shelling of UNIFIL's area of operation by militia forces supported by Israel, as well as an infiltration into the UNIFIL's area by armed Palestinian elements.

On April 26 the Council met in response to a request by the Permanent Representative of Lebanon, addressed to the President of the Security Council on April 25, concerning the report of the Secretary General on UNIFIL under resolution 444. At the meeting the President of the Security Council read a statement agreed upon by members of the Council concerning the Secretary General's report. In this statement the Council expressed its deepest concern over the significant increase of tension in the area and anxiety over the situation in which UNIFIL was unable to fully implement its mandate. The Council also expressed its special satisfaction at actions taken by the Lebanese Government in deploying a Lebanese army contingent into southern Lebanon as an indication of progress towards the goal of restoring the authority of the Lebanese Government throughout southern Lebanon in accordance with resolution 428 (1978).

On May 15 the Council met at the request of the Permanent Representative of Lebanon, in response to continued violence in southern Lebanon and the failure of armed groups in the area to cooperate fully with UNIFIL. At that meeting the President of the Council pointed out the grave and fragile situation in southern Lebanon and commended UNIFIL for its dedication in preventing the situation from becoming worse. He said that talks had resumed between representatives of the United Nations and the Government of Israel on various points that were essential to settle if UNIFIL was to carry out its mandate successfully.

The Council met again on May 31 at the request of Lebanon in a letter dated May 30. At this meeting the Council considered statements by the Secretary General and the representatives of Lebanon, Israel, and the PLO.

On June 12 the Council met to consider the report of the Secretary General on UNIFIL. On June 14 the Council adopted resolution 450 (1979) extending the UNIFIL mandate for a period of 6 months by a vote of 12 (U.S.) to 0, with 2 abstentions (U.S.S.R., Czechoslovakia), with China not participating. Resolution 450 deplored acts of violence against Lebanon that led to the displacement of civilians, including Palestinians, and brought about destruction and a loss of innocent lives; called upon Israel to cease its incursions into southern Lebanon; and called upon all parties to refrain from activities inconsistent with the objectives of UNIFIL.

Speaking for the United States, Ambassador Petree said that while the United States supported resolution 450, it felt that certain paragraphs calling upon Israel to cease its actions against the territorial integrity and political independence of Lebanon were lacking balance. He called upon Israel to cooperate with UNIFIL and insisted that those in a position to do so should influence Palestinian extremists to end the terrorism, which contributes to the violence and counterviolence on Lebanese and Israeli territory. He expressed the admiration of his Government for the dedicated and selfless efforts of the officers and men of UNIFIL and said that "no peacekeeping force has served in a more important capacity nor in more trying and difficult circumstances. The bravery those men have shown is unmatched in the history of peacekeeping."

In response to a serious deterioration of the situation in southern Lebanon, the Security Council met on August 29 and 30 to press for an immediate end to hostilities. During the debate Secretary General Waldheim appealed to all parties to exercise the maximum restraint and to give the cease-fire of August 23 a chance to become permanently effective. On August 29, Ambassador Young characterized the random violence and the slaughter of innocent lives occurring principally in Lebanon but also in Israel as an affront to the con-

science of mankind. He condemned both Palestinian attacks upon Israeli civilians and Israeli and Israeli-backed Lebanese militia attacks on Lebanese towns, villages, and refugee camps. Ambassador Young also called upon both sides to cease their harassment of UNIFIL and to cooperate fully with UNIFIL in enabling it to carry out its mandate.

On December 19 the Council met and adopted resolution 459 (1979) extending the UNIFIL mandate for a period of 6 months, by a vote of 12 to 0, with 2 abstentions (U.S.S.R., Czechoslovakia), with China not participating. The resolution expressed support for the Secretary General's efforts to consolidate the cease-fire and called upon all parties to refrain from activities inconsistent with the objectives of UNIFIL; took note of the determination of the Government of Lebanon to draw up a program of action in consultation with the Secretary General to promote the restoration of its authority in pursuance of resolution 425 (1978); and reaffirmed the validity of the General Armistice Agreement between Israel and Lebanon and called upon the parties, with the assistance of the Secretary General, to take the necessary steps to reactivate the Mixed Armistice Commission and to ensure the safety and freedom of action for the UN Truce Supervision Organization (UNTSO).

Ambassador Petree, speaking in explanation of the U.S. vote, stated that if peace in the area was to be maintained and the authority of the Government of Lebanon restored, all armed groups must withdraw from southern Lebanon, in accordance with the plan of action being worked out by UNIFIL and the Lebanese Government. He also stated the willingness of the U.S. Government to cooperate actively in the efforts of the Secretary General and the Lebanese Government to bring about a permanent cessation of hostilities.

UNDOF Renewals

The Security Council met on May 30 and adopted a resolution extending the UN Disengagement Observer Force (the peace-keeping force on the Golan Heights) for another 6-month period, until November 30, 1979. (Resolution 449 (1979).) The resolution was adopted by a vote of 14 (U.S.) to 0, China not participating. Following adoption of the resolution, the Council President (China), in keeping with the practice followed during recent UNDOF renewals, read a statement that quoted a part of the Secretary General's report to the effect that the situation in the Middle East as a whole continued to be potentially dangerous and would likely remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached. The Council President added on behalf of China, that although it did not participate in the vote, it takes the

same position as that contained in the statement.

Meeting on November 30, the Council followed the procedure it had followed in May in extending the UNDOF mandate until May 30, 1980. The resolution was adopted once again by a vote of 14 to 0, with China not participating. (Resolution 456 (1979).)

UNEF Expiration

Reflecting changed circumstances in the Sinai stemming from the Egyptian-Israeli peace treaty and Israeli withdrawal from large portions of the Sinai, the mandate of UNEF, the UN peacekeeping force in the Sinai, was allowed to lapse by the Security Council when it failed to renew the UNEF mandate by July 24.

On July 24, following Security Council consultations, Secretary General Waldheim made the following statement:

In view of the fact that the withdrawal of UNEF is without prejudice to the continued presence of the UNTSO observers in the area, it is my intention to make, in accordance with existing decisions of the Security Council, the necessary arrangements to ensure the further functioning of UNTSO.

GENERAL ASSEMBLY CONSIDERATION

Situation in the Middle East

The debate on the situation in the Middle East took place at five meetings between November 30 and December 6. Forty-nine states and the PLO took part in the debate. On December 4, a draft resolution sponsored by 13 countries was introduced which *inter alia*, (1) condemned Israel's occupation of Palestinian and other occupied Arab territories; (2) declared that peace must be based on the attainment by the Palestinian people of all its inalienable rights and the Israeli withdrawal from all the occupied Arab and Palestinian territories, including Jerusalem; (3) condemned all partial agreements and separate treaties; (4) called for the early convening of the Peace Conference on the Middle East, with the PLO included on an equal footing with all other parties; and (5) requested the Secretary General to report to the Security Council periodically on the development of the situation and submit to the General Assembly a report covering all aspects of the Middle East.

The U.S. Representative, Howard Rosen, spoke on December 4. After recalling the achievements of the Camp David process and the progress made towards a comprehensive peace, he stated that the Camp David talks formed the only viable framework available for the negotiation of the difficult and complex issues which must ultimately be resolved. The United States remains open to all constructive sug-

gestions that could lead to a settlement; remains fully committed to the just resolution of the Palestinian question and achievement of legitimate Palestinian rights; and believes this is crucial to the comprehensive settlement that is sought and that it will come only through the process of negotiation among the parties directly concerned.

On December 12, the Assembly adopted resolution 34/70 by a vote of 102 to 17 (U.S.), with 20 abstentions.

Question of Palestine

The "Question of Palestine" was considered by the General Assembly in plenary session at seven meetings between November 26 and December 12. Representatives of 68 states, Ireland (on behalf of the 9 states members of the European Community), and the PLO spoke in the debate.

The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People was introduced by the Chairman of the Palestinian Rights Committee on November 26. The report reaffirmed the recommendations of the Committee for a solution to the Palestinian problem that it had made to the 31st, 32nd, and 33rd sessions of the General Assembly and observed that the recommendations were again annexed to the present report, "their validity undiminished by the passage of time, their urgency highlighted by events."

On November 27 and 28, four draft resolutions sponsored by non-aligned countries were introduced.

On November 29, two of the resolutions were adopted. The first, resolution 34/65 A, reaffirmed that a Mideast peace cannot be established without the achievement of a just solution of the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people, including return, national independence, and sovereignty. It also called for full PLO participation in all UN sponsored deliberations and conferences on the Middle East and urged Security Council action to implement previous General Assembly resolutions on the Palestinian question. The resolution was adopted by a recorded vote of 117 to 14 (U.S.), with 16 abstentions.

Resolution 34/65 B was adopted by a recorded vote of 75 to 33 (U.S.), with 37 abstentions.

In actions before the final vote, Egypt moved to delete operative paragraph 4 which "declares that the Camp David Accords agreements have no validity insofar as they purport to determine" the future of Palestinian people and territory. This motion failed narrowly, by 51 (U.S.) to 56, with 30 abstentions. Ambassador Petree then moved that the entire draft resolution be considered an "impor-

tant question" as defined in article 18(2) of the Charter.² The motion failed by a recorded vote of 53 (U.S.) to 65, with 19 abstentions, and the draft resolution was then adopted.

The remaining two resolutions were adopted by the General Assembly on December 12. The first, *inter alia*, authorized the Committee on the Exercise of the Inalienable Rights of the Palestinian people to continue to exert all efforts to promote the implementation of its recommendations, to send delegations or representatives to international conferences where such representation would be considered by it to be appropriate, and to report thereon to the 35th General Assembly and thereafter. Resolution 34/65/C was adopted by a recorded vote of 118 to 10 (U.S.), with 12 abstentions.

The second, resolution 34/65/D, was adopted by a recorded vote of 117 to 15 (U.S.), with 9 abstentions. This resolution, among other things (1) requested the Secretary General to redesignate the Special Unit on Palestinian Rights as the Division of Palestinian Rights in the Secretariat; (2) spelled out in detail the tasks to be performed by the Division; (3) requested the Secretary General to direct the UN Postal Administration to issue a series of UN commemorative postage stamps to publicize the grave situation and inalienable rights of the Palestinian people; and (4) requested member states to observe annually on November 29 the International Day of Solidarity with the Palestinian People and to issue special postage stamps for the occasion.

Ambassador Petree, on November 29, in explanation of the U.S. position on the four draft resolutions, stated that the resolutions placed the General Assembly in the position of rejecting a peace treaty between two sovereign neighbors. Instead of defining new areas where conciliation and negotiation might be possible, they were divisive in intent and practice. They mixed important political matters with the issuance of postage stamps and were occasions for propaganda. They endorsed the recommendations of the Special Unit and the one-sided Committee, both of which the United States opposed. They did not advance the cause of peace in the Middle East, nor did they serve the cause of legitimate Palestinian aspirations and rights.

UN Relief and Works Agency for Palestine Refugees in the Near East

The Special Political Committee of the 34th General Assembly met

²Article 18(2) explicitly provides that any recommendation with respect to the maintenance of international peace and security is an "important question" and for a decision to be taken requires a two-thirds majority of the members present and voting.

nine times between October 17 and October 26 to discuss UNRWA. The Committee had before it the report of the Commissioner General of UNRWA, reports by the Secretary General on Israel's compliance with provisions of earlier resolutions concerning population and refugees displaced since 1967, the report of the UN Conciliation Commission for Palestine (PCC),³ and the report of the Working Group on the Financing of UNRWA. The Committee approved six draft resolutions in the latter part of October, all of which were adopted in plenary November 23.

The Commissioner General of UNRWA, Olaf Rydbeck, opened the debate by reviewing the Agency's financial situation for 1979. He stated that it had improved slightly during the latter part of the year. Estimated income for 1979 was now \$143.1 million for projected expenditures of \$166.8 million, leaving a deficit of \$23.7 million. However, prospects for 1980 were less optimistic than they had been at the beginning of 1979. Three factors contributed to UNRWA's financial crisis: a growing school population, inflation, and depreciation of the U.S. dollar. As Commissioner General, he could not continue services and risk the "total collapse of the Agency." He urged member states to respond generously to the Agency's appeal by increasing their contributions and by starting to contribute if they were not already doing so.

• *U.S. Draft Resolution.* A resolution entitled "Assistance to Palestinian Refugees" was introduced by the United States on October 18. As in past years, the resolution (1) noted with regret that the repatriation or compensation of the refugees as provided for in past General Assembly resolutions had not been effected nor substantial progress made toward the reintegration of refugees and that, therefore, the situation of the refugees continued to be a matter of concern; (2) expressed thanks to the Commissioner General and to all the staff of UNRWA and to the specialized agencies and private organizations for their work in assisting the refugees; (3) expressed deep appreciation to former Commissioner General Thomas W. McElhiney for his years of service to the Agency; (4) reiterated its request that the headquarters of the Agency be relocated within the area of its operations as soon as practicable; (5) noted with regret that the PCC had been unable to find a means of achieving progress in implementing General Assembly resolution 194 (III) and requested it continue its efforts to do so; (6) directed attention to the seriousness of UNRWA's financial position, as outlined in the report of the Commissioner General; (7) noted with profound concern that despite the Commissioner General's efforts to collect additional contributions, UNRWA's level of income will continue to result in recurring annual

³The PCC was established by the 3rd General Assembly in resolution 194, adopted Dec. 11, 1948; its three members are France, Turkey, and the United States.

deficits; and (8) called upon all governments, as a matter of urgency, to respond to UNRWA's needs.

In his introduction of the draft resolution the U.S. Representative, Congressman Benjamin Rosenthal, pointed out that UNRWA had served the health, education, and nutrition needs of the Palestinian people for more than 30 years and that the agency faced a deficit of some \$23.7 million in 1979. He pointed out that the United States continued to provide one-third of UNRWA's total budget and had maintained that commitment, believing in the vital importance of the Agency's humanitarian work. The United States has a deep and growing concern concerning this large burden being shouldered. Therefore, he urged other governments in the area, in an able position, to increase their contributions to UNRWA, so that the agency might continue its indispensable work.

The draft resolution was approved in Committee by a vote of 116 (U.S.) to 0, with 1 (Israel) abstention on October 25, and adopted as resolution 34/52 A in plenary session on November 23 by a vote of 140 (U.S.) to 0, with 1 (Israel) abstention.

- *Assistance to Persons Displaced in 1967.* Introduced by Sweden, and ultimately sponsored by 17 states, this resolution reaffirmed previous resolutions on the subject; endorsed UNRWA's efforts to provide humanitarian assistance on a temporary emergency basis to those in need as a result of the 1967 hostilities; and strongly appealed to governments, organizations, and individuals to contribute generously to UNRWA and to other intergovernmental and nongovernmental organizations concerned.

The draft resolution was approved unanimously on October 26 in Committee and adopted as resolution 34/52 B by the Assembly without a vote on November 23.

- *Financial Assistance for Higher Education.* On October 23, Jordan introduced a draft resolution entitled "Offers by member states of grants and scholarships for higher education, including vocational training, for the Palestinian Refugees." Among other things, it (1) expressed appreciation to all Governments, specialized agencies and nongovernmental organizations which responded favorably to General Assembly resolution 33/112 C; (2) appealed to all states, specialized agencies, and nongovernmental organizations to make special allocations for scholarships and grants in addition to their regular contributions to UNRWA; (3) invited relevant UN agencies to continue to expand the inclusion, within their respective spheres of competence, of assistance for higher education for Palestinian refugee students; (4) appealed to all states, specialized agencies, and nongovernmental organizations to contribute generously to the Palestinian universities in the territories occupied since 1967; (5) also appealed to those bodies to contribute towards the establishment of

vocational training centers for Palestinian refugees; (6) requested UNRWA to act as a recipient and trustee for such special allocations and scholarships and to award them to qualified Palestinian refugee candidates; and (7) requested the Secretary General to report to the General Assembly at its 35th session on the implementation of the present resolution.

The draft resolution was approved 117 to 0, with 2 (U.S., Israel) abstentions on October 26. Resolution 34/52 C was adopted by a vote of 138 to 0, with 2 (U.S., Israel) abstentions. Congressman Rosenthal, speaking on behalf of the United States, explained that although the United States had supported draft resolutions on assistance to Palestine refugees, assistance to persons displaced in 1967 and UNRWA financing, it had abstained in the vote on financial assistance for higher education because of the way in which it was worded. However, the United States would continue to support, through UNRWA and through voluntary agencies, the worthy objective of enabling the largest number of students to obtain higher education.

• *UNRWA Financing.* The Working Group on the Financing of UNRWA⁴ was established by the 25th General Assembly in December 1970. It has since been renewed annually by each General Assembly. In its report to the 34th General Assembly, the Working Group again emphasized the gravity of UNRWA's financial situation and called on those governments that did not contribute, or contributed in a very limited fashion, to participate more fully in the financing of UNRWA. The report also stated that the forward planning procedure for soliciting contributions on a voluntary basis had improved the long-term planning of UNRWA operations.

On October 23, the Netherlands introduced a resolution entitled "Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East." The draft resolution commended the Working Group for its efforts to assist in ensuring the Agency's financial security; noted with approval the report of the Working Group; and requested the Working Group to continue its efforts for 1 year.

The draft resolution was approved without a vote in Committee on October 26 and in plenary Assembly on November 23 by consensus. (Resolution 34/52 D.)

• *Israeli Actions Toward Palestinian Refugees.* On October 24, Afghanistan introduced a draft resolution, eventually sponsored by eight countries, on "Population and refugees displaced since 1967," and on October 25, Pakistan introduced a draft resolution entitled "Palestinian refugees in the Gaza Strip." The latter resolution was

⁴France, Ghana, Japan, Lebanon, Trinidad and Tobago, Turkey (Chairman), United Kingdom, United States.

sponsored by six countries. The two drafts were virtually identical to resolutions passed in the three preceding General Assemblies bearing the same titles.

The eight-power draft resolution (1) reaffirmed the inalienable right of all displaced inhabitants to return to their homes in the territories occupied by Israel since 1967 and declared once more any attempt to restrict or attach conditions to that right inadmissible; (2) considered any and all agreements embodying any restriction on or condition for the return of the displaced inhabitants, as null and void; (3) deplored that continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants; (4) called once more upon Israel to take immediate steps for the return of all the displaced inhabitants and to desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories; and (5) requested the Secretary General to report to the General Assembly by the opening of the 35th session on Israel's compliance with paragraph 4 of the resolution.

The Committee approved the draft resolution on October 26 by a recorded vote of 101 to 4 (U.S.), with 18 abstentions, and resolution 34/52 E was adopted in plenary session on November 23 by a vote of 121 to 3 (U.S.), with 16 abstentions. In explaining the U.S. negative vote, Congressman Rosenthal said in the Special Political Committee that the United States considered the language of the resolution to be needlessly polemical and distracted the Committee from the task of improving UNRWA's assistance to the Palestinian refugees.

The six-power draft resolution called upon Israel (1) to desist from removal and resettlement of Palestinian refugees in the Gaza Strip and from destruction of their shelters; and (2) requested the Secretary General to report on Israel's compliance with these requirements at the opening of the 35th session of the General Assembly.

The draft resolution was approved by a recorded vote of 117 to 1 (Israel), with 5 abstentions (U.S.) in Committee on October 26, and resolution 34/52 F was adopted by the Assembly on November 23 by a vote of 136 to 1 (Israel), with 5 (U.S.) abstentions.

Speaking again in the Special Political Committee, Congressman Rosenthal explained the U.S. abstention by saying that the Secretary General's report clearly stated that there had been no punitive demolition of refugees' shelters in the past year and that the resolution was, therefore, inappropriate. Moreover, an attempt was made in the fourth preambular paragraph to link, in a very unclear manner, the efforts to resettle refugees in the Gaza Strip with the right of return as set forth in General Assembly resolution 194 (III).

Israeli Practices in the Occupied Territories

• *Expulsion of Mayor of Nablus.* On November 15, the United Arab Emirates introduced a draft resolution ultimately sponsored by 25 countries. The Representative of the United Arab Emirates requested that the Committee, as a matter of urgency, consider the situation in the occupied territories arising from Israel's decision to expel the Mayor of Nablus. Following a procedural discussion, the Committee decided, by a recorded vote of 89 to 2, with 13 abstentions, to consider the question at that meeting. Following further discussion, by a vote of 77 to 17 (U.S.), with 8 abstentions, the Committee decided to proceed to a vote at the same meeting. The resolution was approved by a vote of 85 to 1, with 21 (U.S.) abstentions.

The U.S. Representative in the Special Political Committee, Captain James R. Costello, speaking in explanation of votes, said that he had voted against the second motion but had abstained during the vote on the draft resolution without prejudice to a subsequent vote.

The resolution expressed grave anxiety and concern about the serious situation in the occupied Palestinian territory as a result of the deportation decision; called upon the Israeli authorities to rescind the deportation order; and requested the Secretary General to report to the General Assembly as soon as possible on the implementation of the present resolution.

Speaking before the vote, the U.S. Representative in the General Assembly, Ambassador William vanden Heuvel, stated that the United States would vote in favor of the resolution, since it carried forward the expression of concern contained in the statement made on behalf of the Security Council by its President—previously supported by the United States. The contemplated action involving the Mayor of Nablus was a source of tension and therefore a source of deepest concern for all those concerned with peace in the Middle East. In casting an affirmative vote, however, the United States reserved its position on the phrase “occupied Palestinian territory”; the U.S. position on this point is well known.

On November 16, the General Assembly adopted resolution 34/29 by a vote of 132 (U.S.) to 1, with 1 abstention.

• *Special Committee To Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.* The General Assembly established the Special Committee in 1968. The three-member committee⁵ has never been permitted to visit either Israel or the occupied Arab territories, since Israel considers both it

⁵Members in 1979 were Sri Lanka, Senegal, and Yugoslavia.

and its mandate biased. In 1979, as in previous years, the Committee's report was based on examination of documents, press material, testimony received in person and by letter, and hearings held in Geneva.

At the 34th General Assembly, the Special Political Committee considered the Committee's report at seven meetings between November 15 and December 7. Three draft resolutions were approved in the Special Political Committee November 26 and adopted in plenary December 12.

On November 26 Pakistan introduced a draft resolution sponsored by six other countries. Among other things, the resolution (1) condemned a variety of Israeli practices, including torture of persons under detention, annexations, establishment of settlements, displacement of Arab inhabitants, mass arrests, and exploitation of natural resources; (2) affirmed that Israeli measures to alter the character, demography, or status of the occupied territories are "null and void"; and (3) provided for continued functioning of Special Committee access to the occupied Arab territories.

The resolution was approved in committee December 7 by a recorded vote of 87 to 3 (U.S.), with 25 abstentions, and adopted in plenary on December 12 as resolution 34/90 A by a vote of 111 to 2 (U.S.), with 31 abstentions.

A second draft resolution was introduced by Indonesia on December 6 and sponsored by 10 nations, which reaffirmed the applicability to the occupied Arab territories of the Geneva Convention of 1949 relative to the Protection of Civilians in Time of War.

The resolution was approved in committee December 7 by a recorded vote of 113 (U.S.) to 1, with 2 abstentions. Resolution 34/90 B was adopted in the General Assembly on December 12 by a vote of 140 (U.S.) to 1, with 4 abstentions.

The third draft resolution was introduced by Bangladesh on December 6 and subsequently sponsored by nine nations, strongly deplored Israeli settlement activities, which it declared to be of "no legal validity" and a "serious obstruction of efforts" for a Mideast peace.

The resolution was approved in committee December 7 by a recorded vote of 113 (U.S.) to 1, with 3 abstentions. On December 12 the resolution was adopted by a vote of 140 (U.S.) to 1, with 4 abstentions. (Resolution 34/90 C.)

Captain Costello, speaking in explanation of the U.S. vote on the draft resolutions, stated the U.S. opinion that the establishment of Israeli settlements in the occupied territories, including East Jerusalem, was incompatible with international law and with the provisions of the Fourth Geneva Convention and was an obstacle to the peace process.

Iran and the Taking of U.S. Hostages

On November 4, 1979, the U.S. Embassy in Tehran was seized and its personnel taken hostage by a group of armed demonstrators. Subsequently, a number of those taken prisoner were released, but a total of 50 Americans continued to be held as hostages in their own Embassy under cruel conditions, while 3 U.S. diplomats, including Chargé d'affaires L. Bruce Laingen, were detained in the Ministry of Foreign Affairs in Tehran.

On November 9, 1979, in a letter to the President of the Security Council, Ambassador McHenry noted that this action violated the very basis for maintaining international peace and security and of comity between states. He asked that the Security Council urgently consider what might be done to secure the release of the hostages. On the same date, following consultations among the members of the Security Council, and speaking on behalf of the Council, the President of the Security Council expressed the profound concern of the Council over the detention of American diplomatic personnel in Tehran. He urged that they be released without delay and be provided protection and also urged that the Secretary General continue to use his good offices to assist towards this objective.

On November 13, acting Iranian Foreign Minister Bani Sadr addressed a letter to Secretary General Waldheim containing a long list of charges against the United States. The letter did not directly refer to the taking of American hostages or indicate that Iran was prepared to release the hostages. He requested a meeting of the Security Council. Following informal consultations, however, the Council declined to respond to the Iranian request.

On November 25, Secretary General Waldheim himself asked that an urgent meeting of the Security Council be convened. Invoking article 99 of the Charter, he noted that "the present crisis poses a serious threat to international peace and security."

In response to the Secretary General's request, the Security Council met on November 27. Secretary General Waldheim, in a statement to the Council, stated that in the preceding weeks he had been involved continuously in efforts to resolve what he called "this very serious problem." Concluding that the obstacles to a solution could not be overcome, and considering the resulting threat to the structure of international peace, he decided to request an urgent meeting of the Security Council. The President of the Security Council, noting that Iran had requested a delay in the formal deliberations of the Council to enable the acting Foreign Minister of Iran to participate, announced that the Council would reconvene on December 1. On that date, and after the acting Foreign Minister of Iran failed to appear, the Security Council met, and in a debate December 1-3, a succession

of speakers, including all of the members of the Security Council without exception, called for Iran to release the American hostages. Ambassador McHenry was the first speaker in the debate on December 1. Noting that Iran's action in seizing the American hostages was a violation of the most fundamental principles of international law, he called on Iran to release them:

The United States insists that its diplomatic personnel be released and its diplomatic personnel restored. These are not negotiable matters. The United States will hold the authorities in Iran fully responsible for the safety of the Americans now held captive. . . .

None of us is deaf to the passionate voices that speak of injustice, that cry out against past wrongs, and that ask for understanding But no country can call for justice while at the same time denying it to the defenseless.

On December 4, in a brief session, the Security Council unanimously adopted resolution 457 (1979), and asking the Secretary General to lend his good offices, urgently called on Iran to release the hostages. Following the vote, the Secretary General commended the Council's action and promised to move as quickly as possible to carry out his mandate to implement the resolution. In a statement after the vote, Ambassador McHenry expressed the hope that this call of the Security Council would be heeded and carried out by the Government of Iran within a matter of hours.

On December 15, in response to a U.S. application, the International Court of Justice in The Hague ordered that as a provisional measure and pending final judgment, the Government of Iran should ensure the immediate release of the hostages and restore the premises of the American Embassy and consulates in Iran to the possession of the United States.

On December 22, noting that Iran had failed to comply with the provisions of resolution 457, the order of the International Court of Justice, and appeals by the Secretary General and numerous government and world leaders, Ambassador McHenry requested that the Security Council meet at an early date to consider the measures that should be taken to "induce Iran to comply with its international obligations." On December 29 the Security Council met in response to this request.

Following a report by the Secretary General on his efforts to mediate the crisis and his willingness to discuss the situation directly with Iranian authorities in Tehran, Secretary of State Vance addressed the Council on behalf of the United States. He pointed out that Iran's only response to Security Council resolution 457 and to the appeals of the international community had been one of contempt. Iran must be faced with the consequences of its actions, Secretary Vance said, and therefore the Security Council should be prepared to act under Chapter VII of the Charter to impose sanctions against Iran unless Iran complied with the Council's call for the

release of the hostages within a minimum specified time. The conflict was between Iran and the entire international community, not only Iran and the United States. Quoting Abraham Lincoln, he said that while the United States was not unmindful of the grievances of the Iranian people, "There is no grievance that is a fit object of redress by mob law." Other speakers, including the United Kingdom, Norway, Portugal, France, the Federal Republic of Germany, Singapore, and Australia spoke in support of the U.S. position.

On December 30 the Council continued its debate. Immediately before the Security Council convened, the Secretary General informed the Council that he had accepted an invitation from Iranian authorities to visit Iran. A series of speakers, including Nigeria, Japan, and Canada, supported the U.S. position and called for the immediate release of the hostages. During the day, informal consultations by the Council resulted in general agreement to the wording of a draft resolution.

On December 31, the Council met and adopted resolution 461 (1979) by a vote of 11 (U.S.) to 0, with 4 abstentions (U.S.S.R., Czechoslovakia, Kuwait, and Bangladesh). The resolution reaffirmed resolution 457; deplored the continued detention of the American hostages; called on Iran to release the hostages immediately; took note of the efforts of the Secretary General and his willingness to travel to Iran; and decided that the Security Council should meet again on January 7, 1980, to adopt effective measures under articles 39 and 41 of the Charter, in the event of noncompliance by Iran. Articles 39 and 41 are those articles of the Charter which pertain to imposing economic sanctions.

Cyprus

SECURITY COUNCIL

The U.N. Force in Cyprus (UNFICYP), continued its operations on the island throughout 1979. In June, and again in December, the Security Council extended the Force after considering reports by the Secretary General covering the preceding 6 months.

The Secretary General's report of May 31, 1979, showed a total UNFICYP strength of 2,506, up from 2,482 on December 1, 1978. The report characterized the May 19, 10-point Nicosia Summit Agreement between the two Cypriot parties as a heartening outcome of the Kjprianou/Denktaş summit and praised the spirit of enlightened statesmanship and cooperation displayed at that meeting. The Secretary General urged the parties to exercise restraint in their public statements before and during the intercommunal negotiations starting June 15 and stated his intention to keep

the Security Council fully informed of their progress. He emphasized that the agreement of May 19 delineated the basis and priorities for the forthcoming talks but did not resolve the substantive differences confronting the parties. He concluded that in light of the situation on the ground and political developments, the continued presence of UNFICYP was indispensable. In helping to maintain calm on the island, the UN force facilitated the search for a political settlement. He recommended extending the UNFICYP mandate for 6 months.

Meeting on June 15, the Security Council adopted resolution 451 (1979) renewing the mandate of UNFICYP for 6 months until December 15, 1979. As on past occasions, the vote was 14 (U.S.) to 0 opposed, with China not participating. The resolution (1) urged the parties to proceed with the intercommunal talks within the framework of the 10-point agreement in a sustained manner; and (2) requested the Secretary General to continue his good offices mission and to report to the Security Council on progress made by November 30, 1979.

Speaking after the vote, Ambassador Donald McHenry paid tribute to the key role of UNFICYP in maintaining a stable situation, which had made the 10-point agreement possible. He gave credit to Secretary General Waldheim and to the flexibility demonstrated by the leaders of the two communities but pointed to the difficult task ahead. He urged that representatives of the two communities work to establish a moderate, flexible, and statesmanlike atmosphere so that genuine progress could be made toward a lasting solution in Cyprus and offered U.S. support to the Secretary General in the continuance of his good offices mission. In pointing to the growing financial deficits associated with UNFICYP operations, Ambassador McHenry noted the inordinate and unfair share of the burden borne by the troop contributors and urged member nations to meet their financial obligations.

The Secretary General's report on the UNFICYP operations for the period June 1–November 30, 1979, reflected a total UNFICYP strength of 2,491. Reporting on his good offices mission, the Secretary General noted that the intercommunal talks had resumed in Nicosia on June 15, 1979, under the auspices of Under Secretary General Pérez de Cuéllar. It quickly became apparent that the two sides could not agree on basic precepts for continuing the talks, and Mr. Pérez de Cuéllar announced on June 22 that the talks were being recessed. Despite continuing efforts since that time by the Secretary General and his representatives to promulgate an acceptable agreement for resumption, the talks continued to be in recess at the present time. Secretary General Waldheim, in his final observation, concluded that the intercommunal talks represented the best method for negotiating a just and lasting political settlement and pledged to pur-

sue efforts to have the talks resumed. However, he noted that after nearly 5 years of intermittent talks, the credibility of this negotiating method is hanging in the balance.

The Secretary General reported that the UN force was near minimum strength and that reduction would necessitate substantial changes in its *modus operandi* and possibly a revision of its mandate. He noted that the accumulated financial deficit of the UNFICYP account amounted to \$73.6 million and urged governments to respond to his appeal for voluntary contributions. He concluded that the continued presence of UNFICYP on Cyprus was indispensable, both in helping to maintain calm on the island and in facilitating the search for a peaceful settlement. He therefore recommended to the Security Council that it extend UNFICYP's mandate for a further 6-month period.

At its 2179th meeting on December 14, 1979, the Security Council adopted by a vote of 14 (U.S.) to 0, with China not participating, resolution 458 (1979) extending the UNFICYP mandate for 6 months and urging the parties to resume the intercommunal talks within the framework of the 10-point agreement of May 19, 1979. The U.S. Representative, Ambassador Richard Petree, expressed support for the Secretary General's efforts and urged increased contributions to UNFICYP.

GENERAL ASSEMBLY

At a September 19 meeting of the General Committee, a proposal by Turkey to allocate the Cyprus item to the Special Political Committee was defeated, with the vote 4 to 13, with 8 (U.S.) abstentions. On September 21, the Assembly approved the General Committee recommendations, with Cyprus being the only item for which a separate vote was taken. At Turkey's request, the President put the General Committee recommendation to a vote, which resulted in approval of that recommendation by a count of 74 to 8, with 30 (U.S.) abstaining. The item was thus referred to plenary, as in previous years, with the representatives of the two Cypriot communities being given the opportunity to speak in the Special Political Committee. The plenary would then resume its consideration of the item, taking into account the report of the Special Political Committee.

On November 8, 1979, the Secretary General submitted his report on Cyprus as required by resolution 33/15 of November 9, 1978. In the report, he noted that when the intercommunal talks had resumed on June 15, 1979, the interlocutors did not address themselves to the substance of the Cyprus problem in accordance with the priorities specified in the May 19, 1979, 10-point accord. Secretary General Waldheim outlined his efforts to have the parties return to the

negotiating table and stated his readiness to reconvene the intercommunal talks on the basis of the 10-point agreement, if possible, no later than January 1980.

The "Question of Cyprus" was considered at six meetings between November 16 and 20; 39 states took part in the debate. The U.S. Representative, Ambassador Richard Petree, reaffirmed U.S. support for the Secretary General's role in seeking resumed intercommunal talks and expressed opposition to a proposal for a General Assembly committee on Cyprus, which had been suggested in an earlier speech by the Cypriot Foreign Minister. Ambassador Petree said that such a committee could unduly interfere with the continuing efforts of the Secretary General to persuade the parties to resume intensive, direct intercommunal negotiations.

On November 19, Algeria introduced a draft resolution. The resolution had been drafted by the non-aligned contact group on Cyprus⁶ and was ultimately sponsored by 24 other countries. The resolution was basically similar to those of earlier years, but with several significant differences. It contained a recommendation that the Security Council should, within a specified time frame, examine the implementation of "appropriate and practical measures" for carrying out past UN resolutions on Cyprus. Operative paragraphs 12-15 requested the Secretary General to report to the General Assembly by March 31, 1980, on the progress achieved in the negotiations between the two communities on the basis of the May 19, 1979, 10-point agreement. In the event that the Secretary General reported lack of progress, the President of the General Assembly was authorized to appoint an *ad hoc* committee composed of not more than seven member states to "maintain contact" with the Secretary General in his task of facilitating successful negotiation. The committee would also, in consultation with the Secretary General, recommend steps for implementing relevant resolutions on Cyprus.

The Turkish Representative objected strongly to the draft resolution on the premise that it was more or less a replica of the resolution adopted at the recent Havana Conference of the Non-Aligned Countries and that the delegation of the Turkish Federated State of Cyprus was not in any way bound by a resolution adopted in Havana. He objected emphatically to that operative paragraph of the draft that envisaged appointing a committee with a vague mandate in the event that negotiations did not progress by March 31. He asked if it would be at all conceivable that the Greek Cypriots would lend themselves to any progress in the negotiations by March 31. He felt that the Greek Cypriots would "drag their feet" in setting up the committee, which would be destined to fail, inasmuch as the Turkish

⁶Algeria, Cuba, Guyana, India, Mala, Sri Lanka, and Yugoslavia.

community could not possibly be expected to deal with such a committee.

On November 20 the General Assembly voted on the draft resolution. Separate votes on various operative paragraphs were taken. Operative paragraph 11 concerning action by the Security Council was adopted by a vote of 87 to 10 (U.S.), with 40 abstentions. A ballot on paragraph 12 calling on the Secretary General to report on progress in the intercommunal talks resulted in a vote of 94 to 8, with 34 (U.S.) abstentions. In the separate vote on paragraphs 13-15, dealing with establishing a committee on Cyprus, the vote was 83 to 23 (U.S.), with 30 abstentions. The resolution as a whole was adopted by a vote of 99 to 5, with 35 (U.S.) abstentions. (Resolution 34/30.)

South African Policies of Apartheid

SECURITY COUNCIL

The Security Council held two formal sessions on South Africa in 1979, both of which resulted in statements by the President of the Council on behalf of that body. The first was made April 5 and involved pleas for clemency in the case of Solomon Mahlangu, a member of the African National Congress convicted in South African courts for murder and terrorism and sentenced to hang. Many nations had directed appeals for mercy to the South African Government on behalf of Mahlangu.

On April 5 the Africa Group in New York issued a public statement at the United Nations condemning Mahlangu's trial and recalling that the General Assembly had earlier demanded that South Africa cease all trials under its apartheid laws and regulations and release all political detainees convicted in such trials. The Africa Group also noted that the General Assembly had declared that guerrillas captured in the course of the liberation struggle in South Africa must be entitled to prisoner-of-war status in accordance with the relevant Geneva Convention. The Africa Group urged general condemnation of Mahlangu's sentence by the international community lest "the regime send to the gallows scores of other freedom fighters including students who are presently undergoing 'trial' for their part in prosecuting the gallant struggle that has been sanctioned by the international community."

On the basis of consultations with Council members April 4, the Security Council President had already sent an appeal for clemency to South African President Vorster. However, in light of the Africa Group's statement, the Council met briefly on April 5 and the Council President read aloud a declaration which had earlier been approved

by all Council members. The declaration recalled the efforts of the General Assembly to save the lives of Mahlangu and other South African leaders of the African people under death sentences. It noted that the Council endorsed the appeal made by the Security Council President and urged South Africa to spare the life of Mahlangu and others in similar situations. By previous agreement there were only two speakers during the brief session: Ivory Coast as Chairman of the Africa Group and Nigeria as Chairman of the Anti-Apartheid Committee.

South Africa circulated a letter dated April 5 which made clear its position that Mahlangu was tried and convicted on criminal charges and that he was not considered a political prisoner. The South Africans also reiterated their view that the Council had been requested by the Africa Group to concern itself with matters within the exclusive domestic jurisdiction of South Africa.

The appeals for clemency were ultimately unsuccessful, and Mahlangu was hanged.

The second Security Council session dealing with a South African problem stemmed from South Africa's proclamation of September 13 that the homeland or "Bantustan" of Venda had become independent. The United States and the United Nations support the view that South Africa is a single unitary state. We accord no recognition to any of the "independent" homelands, which we regard as devices to preserve apartheid in South Africa proper and to maintain for South African industry a ready pool of cheap labor.

At the behest of the African Group, the Security Council met for informal consultations on September 20 to consider a draft statement prepared by the Zambian President of the Security Council that condemned the South African proclamation of independence for Venda. Following overnight consideration of the text of the statement in country capitals, the Council met in formal session September 21, and the statement was issued by the President. It declared the independence of Venda invalid and stated that the so-called independence of Venda, Transkei, and Bophuthatswana is designed to divide and dispossess the African people and establish client states under South African domination in order to perpetuate apartheid. The final paragraph of the statement called upon all governments "to deny any form of recognition to the so-called "independent" bantustans; to refrain from any dealings with them; to reject travel documents issued by them; and to take effective measures to prohibit all individuals, corporations, and other institutions under their jurisdiction from having any dealings with the so-called "independent" bantustans.

In view of the insistence by the Africa Group that attempts to make changes in their draft statement would result in African

demands for a formal Security Council resolution on the subject, the draft was read by the President without change. However, the United States is unable, under present legislative authority, to take the measures called for by the final paragraph in this statement. Therefore, the U.S. Representative in the Security Council, Herbert Reis, in his statement before the Council noted, *inter alia*, the following: "My country fully supports the spirit of your statement, Mr. President. We take its main point to be that there is no such entity as Venda; the territory which South Africa chooses to call Venda is in fact an integral part of South Africa. We agree with this position."

GENERAL ASSEMBLY

To demonstrate again the importance with which it viewed the question, the General Assembly opened the debate on apartheid in plenary session in 1979 without prior reference to a main committee. Debate began November 6 with the introduction of the Annual Report of the Special Committee Against Apartheid⁷ and the Special Report by that Committee reviewing recent developments concerning the relations between Israel and South Africa. The first report recommends broad application of sanctions against South Africa, including prohibitions on export of petroleum products and technology. The second essentially condemns what the Committee regards as a special military and economic relationship between South Africa and Israel.

The plenary heard 13 speeches on November 6, which generally included denunciations of apartheid as a threat to peace. Many of the statements also expressed concern at reports of a possible South African nuclear test on September 22 and condemned Western collaboration with South Africa in general and nuclear and military collaboration in particular. The majority of the speakers called for sanctions against South Africa, and some highlighted the role of transnational corporations in supporting apartheid.

South Africa reacted promptly to the November 6 statements with a press release (South Africa does not participate in General Assembly activities), which referred to article 2, paragraph 7 of the Charter which states that nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essen-

⁷The Special Committee Against Apartheid was established by the General Assembly in 1962 as the "Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa." The 18 members in 1979 were Algeria, German Democratic Republic, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Malaysia, Nepal, Nigeria, Peru, Philippines, Somalia, Sudan, Syrian Arab Republic, Trinidad and Tobago, and Ukrainian S.S.R.

tially within the domestic jurisdiction of any state or shall require members to submit such matters to settlement under the present Charter. The press release further objected to criticism of South Africa by a body of which South Africa is a member but which denies South Africa the right to participate.

Debate having been interrupted to permit the General Assembly to consider other matters, 18 resolutions were introduced on November 14 into the plenary on the South African Government policies of apartheid. The resolutions were adopted in plenary as resolutions 34/93 A through 34/93 R; the first 17 were adopted on December 12 and the last on December 17.

In his November 8 statement during debate on the subject, the U.S. Representative, William L. Dunfry, said:

My government shares the total opposition of this body to the institutionalized system of racism called apartheid. We are committed to affirmative policies which promote genuine social and political change in South Africa. We believe that economic forces are particularly important to effect the kind of changes in South Africa we all desire. . . .

In the final analysis, it is those persons in influential positions in South Africa, particularly those who now dominate its economic life, who must catalyze and promote the fundamental changes for which the majority of the population yearns and to which my government is firmly committed.

The first draft resolution was introduced by Nigeria and dealt with the "Situation in South Africa." The resolution was eventually sponsored by 42 states. In its operative paragraphs the resolution, *inter alia*: recognized the national liberation movement of South Africa as the authentic representative of the South African people; reaffirmed support for the armed struggle against apartheid; appealed to all states to provide all necessary assistance to the national liberation movement of South Africa; reaffirmed the commitment of the United Nations to the destruction of the racist regime rather than so-called reforms by the apartheid regime; declared that any collaboration with the racist regime and apartheid institutions constitutes a threat to international peace and security; condemned by name the United States and a number of Western countries as well as transnational institutions for various forms of collaboration with South Africa; requested UN member states, the Security Council, and the Secretary General to impose a variety of nonmilitary sanctions against South Africa; and appealed to South African youth to refrain from enlisting in the South African Armed Forces. Resolution 34/93/A was adopted by a recorded vote of 109 to 12 (U.S.), with 21 abstentions.

A second draft resolution entitled "United Nations Trust Fund for South Africa," sponsored by 82 countries and introduced by Denmark, was adopted without a vote as resolution 34/93 B. The resolution commended the Secretary General and the Committee of Trustees for the Trust Fund for their efforts to promote

humanitarian assistance to persons persecuted under apartheid in South Africa and under similar discriminatory legislation in Namibia and Rhodesia as well as assistance to their families and to South African refugees. The resolution further expressed its appreciation to governments, organizations, and others who had contributed to the fund and to agencies that had implemented the fund's program and it appealed for increased contributions.

A third draft resolution, introduced by Liberia and sponsored by 59 countries, called for an "International Conference on Sanctions Against South Africa." It was adopted by a vote of 125 to 7 (U.S.), with 12 abstentions. This resolution decided to organize in 1980, in cooperation with the OAU, an international conference on sanctions against South Africa. It authorized the Special Committee Against Apartheid to handle the organizational aspects of the conference as preparatory meetings in accordance with recommendations contained in the report of the Special Committee; requested the Secretary General to assist the Special Committee in its effort and to appoint a Secretary General for the conference; and invited all UN system organs to cooperate with the Special Committee in the implementation of the resolution. (Resolution 34/93 C.)

The fourth draft resolution, introduced by Nigeria and sponsored by 51 states, *inter alia*, requested the Security Council to declare that any military or nuclear collaboration with South Africa constituted a threat to international peace and security, and to act under Chapter VII of the Charter of the United Nations to expand the mandatory arms embargo against South Africa imposed by Security Council resolution 418 (1977). In addition, member states were requested to assist the South Africa Arms Embargo Committee and the Special Committee Against Apartheid in monitoring the arms embargo against South Africa and in promoting its implementation and reinforcement, and the Special Committee itself was requested and authorized to undertake measures to reinforce and tighten the existing embargo. The draft entitled "Arms Embargo Against South Africa" was adopted as resolution 34/93 D by a vote of 132 to 3 (U.S.), with 9 abstentions.

The resolution entitled "Nuclear Collaboration with South Africa," introduced by Nigeria and sponsored by 43 states, was adopted by a rollcall vote of 119 to 4 (U.S.), with 18 abstentions. Among other things, the resolution requested Security Council action to prevent South Africa from detonating, developing, or acquiring nuclear weapons and further requested the Council to warn that the acquisition and testing of nuclear weapons by South Africa would result in Chapter VII action by the Council. The resolution also called upon several Western states by name, including the United States, to cease all nuclear collaboration with South Africa and to prevent in-

stitutions and individuals under their jurisdiction from engaging in such cooperation. (Resolution 34/93 E.)

Another draft resolution, introduced by Algeria and sponsored by a group of 62 states drawn almost exclusively from the Third World, dealt with the topic of an "Oil Embargo against South Africa." *Inter alia*, the resolution requested the Security Council to consider a mandatory oil embargo against South Africa; requested member states to take action on their own to prohibit the sale or supply of petroleum and petroleum products to South Africa or transshipment to South Africa; requested the Secretary General to appoint a small group of experts to prepare a report with proposals on means of enforcing an effective oil embargo against South Africa, to be submitted to the 35th General Assembly; and requested and authorized the Special Committee Against Apartheid to undertake measures to intensify support for effective arms and oil embargoes against South Africa. (Resolution 34/93 F.)

Haiti, on behalf of 81 sponsors, introduced a draft resolution entitled "Bantustans," which was approved by consensus. Resolution 34/93 G, *inter alia*, denounced the establishment of bantustans as a device to consolidate apartheid, perpetuate white minority rule, and deprive the African people of South Africa of their rights. The resolution also declared its support for states subjected to stress and pressures by South Africa in pursuit of its bantustan policy and called upon governments to deny recognition to bantustans, refrain from dealings with them, and take measures to prohibit their individuals, corporations, and other institutions from having any dealings with bantustans.

A resolution entitled "Political Prisoners in South Africa," sponsored by 76 states and introduced by India, was adopted by consensus. The resolution's operative paragraphs demanded that the South African Government end its violence and repression against black people and other opponents of South Africa and release all those imprisoned under existing laws and regulations for opposing apartheid. It expressed solidarity with the national liberation movement of South Africa and those struggling for the elimination of apartheid; condemned the South African Government for its execution of Solomon Mahlangu, declared that guerrillas captured in the liberation struggle are entitled to prisoner-of-war status in accordance with the Geneva Convention; and urged the Red Cross and the Secretary General and member states to take appropriate measures to save the lives of those threatened with execution as a result of trials in South Africa under the terrorism act. (Resolution 34/93 H.)

The resolution "Assistance to the Oppressed People of South Africa and Their National Liberation Movement" was introduced by Peru and was subsequently sponsored by 71 states. Aside from re-

questing the international community and the United Nations system to provide various forms of assistance for national liberation movements, the resolution, in its fourth operative paragraph, "decided to authorize adequate financial provision in the budget of the United Nations for the purpose of maintaining the offices in New York of the national liberation movements recognized by the Organization of African Unity—the African National Congress of South Africa and the Pan African Congress of Azania—in order to ensure the due and proper representation of the South African people through their national liberation movements." Resolution 34/93 I was adopted by a vote of 134 to 3 (U.S.), with 7 abstentions.

Sixty-four states sponsored a draft resolution introduced by Tunisia on the "Dissemination of Information on Apartheid," which was adopted as resolution 34/93 J by a vote of 142 to 0, with 3 (U.S.) abstentions. Among other things the resolution appealed to all governments and organizations to contribute generously to the Trust Fund for Dissemination of Information Against Apartheid and requested the Special Committee Against Apartheid and the Center Against Apartheid to use the Trust Fund to produce and disseminate publications and to also assist appropriate organizations in publishing materials on apartheid. More importantly, the Secretary General was requested, in consultation with the Special Committee, to continue regular radio programs for broadcasts to South Africa and to provide funds to assist liberation movements in studies and research to counter South African propaganda. In addition, the resolution appealed to all states to provide facilities to South African liberation movements recognized by the OAU to broadcast programs to South Africa. (Resolution 34/93 J.)

A draft resolution entitled "Women and Children under Apartheid" was introduced by the Philippines and was adopted by consensus as resolution 34/93 K. This resolution, sponsored subsequently by 80 countries, *inter alia*, requested governments and organizations to take appropriate action in view of the conclusions and recommendations of the International Seminar on Children under Apartheid; appealed to governments and organizations for contributions to assist women and children oppressed by apartheid, including refugees; and requested the Special Committee Against Apartheid to publicize the oppression of women and children under apartheid and to encourage governments and other organizations to promote solidarity with women and children under apartheid through conferences, seminars, and other activities.

Resolution 34/93/L, "Role of the Mass Media and International Action Against Apartheid," was adopted by a vote of 125 to 0, with 19 (U.S.) abstentions. Introduced by Tunisia and ultimately sponsored by 68 states, this resolution included among its operative paragraphs

a request to all states and other organizations to use their mass media to mobilize world public opinion against apartheid; to disseminate information on apartheid; and to prevent South Africa and its supporters from using their mass media in the interest of South Africa and apartheid. It further requested cooperation with the United Nations by all mass media in the dissemination of information on apartheid and the situation in South Africa and appealed to journalists and others to denounce restrictions on freedom of the press in South Africa.

Ghana, subsequently joined by 63 states, introduced a draft resolution entitled "Role of Non-Governmental Organizations in International Action Against Apartheid," which was adopted by consensus as resolution 34/93 M. This resolution requested various UN organs to continue cooperating with their non-governmental organizations active in opposition to apartheid; invited member states to take appropriate steps to encourage and assist such non-governmental organizations; and requested the Secretary General to ensure the closest contact by all UN offices with the non-governmental organizations.

The draft resolution "Apartheid in Sports" was introduced by Tanzania and ultimately sponsored by 67 states. This resolution reaffirmed the importance of the complete cessation of all sports exchanges with South Africa and, in its operative paragraphs, requested the *Ad Hoc* Committee on the Drafting of an International Convention Against Apartheid in Sports to continue its work and to complete the draft convention in 1980; commended governments and others who had taken action to ensure an end to sports exchanges with South Africa; and invited the Special Committee Against Apartheid to continue its efforts to promote the implementation of resolutions against South Africa and to encourage appropriate action against those who promote or participate in sports exchanges with South Africa. Resolution 34/93 N was adopted by a recorded vote of 131 to 0, with 14 (U.S.) abstentions.

Fifty-seven states sponsored a draft resolution introduced by Libya entitled "Declaration on South Africa." The draft was adopted as resolution 34/93 O by consensus. This resolution contained a declaration which included *inter alia*, recognition by all states of the legitimacy of the struggle of the South African people for the elimination of apartheid and the establishment of a nonracial society; recognition of the right of the people of South Africa to choose their means of struggle; restraint from overt or covert military intervention and support of the Pretoria regime in its effort to repress the struggle of the South African people against it; a pledge to prevent the recruitment, financing, training, or passage of mercenaries in support of the South African Government or the bantustans which it has

created; appropriate measures to discourage and counteract propaganda in favor of apartheid; and restraint from any cooperation with South Africa in its plans to become a nuclear power.

Another draft resolution dealt with "Relations between Israel and South Africa." It was introduced by Sudan and was ultimately sponsored by 53 countries. This resolution, in its operative paragraphs, condemned Israel's collaboration with South Africa; demanded that Israel cease all such forms of collaboration; requested that the Special Committee Against Apartheid keep the matter under constant review and report again to the General Assembly and the Security Council, as appropriate. In its third preambular paragraph, the resolution expressed the concern of the General Assembly at "the continued collaboration by Israel with the racist regime of South Africa in political, military, nuclear, economic and other fields in violation of the resolutions of the United Nations." This was adopted as resolution 34/93 P by a rollcall vote of 102 to 18 (U.S.), with 22 abstentions.

The draft resolution "Investments in South Africa" was introduced by Sweden and subsequently was sponsored by 59 states. In its preambular paragraphs this resolution expressed the view that cessation of all new foreign investments and financial loans to South Africa would constitute an important step in international action for the elimination of apartheid. In its single operative paragraph it urged the Security Council to consider this matter at an early date with a view to taking effective steps to achieve the cessation of further foreign investments and financial loans to South Africa. (Resolution 34/93 Q.)

The final resolution, "Program of Work of the Special Committee Against Apartheid," was introduced by Nigeria and sponsored by 60 states. At the request of the chairman of the Special Committee, consideration of this resolution had been deferred to permit consultations on the Fifth Committee proposal to close the Geneva liaison office of the Center Against Apartheid. Before the vote, the President of the General Assembly, Salim Salim, announced that as result of these consultations, it would be possible to retain the Geneva office without additional appropriations. No objection was raised to Salim's recommendation that the Geneva liaison office remain open.

In its operative paragraphs this resolution, *inter alia*: (1) endorsed the recommendations contained in the report of the Special Committee on its program of work; (2) requested the Special Committee to intensify its activities with regard to review of all aspects of apartheid, dissemination of information on apartheid, and promotion of public action and campaigns against apartheid in support of the national liberation movement in South Africa; (3) authorized the Special Committee (a) to send missions to member states and elsewhere to

promote international action against apartheid, (b) to intensify cooperation with the non-aligned and the OAU, (c) to participate and organize conferences and symposia against apartheid and the activities of transnational corporations in South Africa, (d) to invite representatives of South African liberation movements recognized by the OAU for consultations on apartheid, and (e) to commission an expert study on all aspects of apartheid and its international repercussions; and (4) requested the Secretary General to provide all necessary assistance and resources to the Special Committee on the discharge of its responsibilities. The resolution further decided to make a special annual allocation of \$150,000 to the Special Committee from the regular biennial UN budget for special projects to be decided on by the Committee to promote international mobilization against apartheid, including national and international conferences and seminars, the creation of international days against apartheid, and expert studies on apartheid.

Mr. William Dunfee spoke in explanation of vote on all 18 resolutions on December 13. After noting that apartheid violates the most fundamental human values and principles—but that the United States does not wish to deny the possibility of peaceful change in South Africa, Mr. Dunfee stated:

Because the United States attaches importance to international activity to convince South Africa to abandon its policy of apartheid, we are pleased to have joined the consensus on six of the resolutions before us today. The unanimity with which these resolutions have been adopted will send another clear message to South Africa of the abhorrence of the international community for apartheid. The international community insists that apartheid be abandoned and that all South Africans be given an equal voice and equal opportunity in their society.

My delegation must note, however, that with regard to the resolution on "Women and children under apartheid," we reserve on the conclusions of the International Seminar on Children under Apartheid and on the accuracy of certain portions of the third preambular paragraph. With regard to the resolution on bantustans, our observation of the requests in operative paragraph 6 [which requests states to take effective measures to prohibit individuals and institutions within their jurisdiction from having any dealings with the bantustans] will conform to U.S. law.

Although we have joined the consensus on the resolution on "Political prisoners in South Africa" we note that, by its own terms, additional protocol 1 to the Geneva conventions of 1949 can apply to liberation movements and their personnel only if they have met the requirements of article 1 (4) and transmitted a declaration in accordance with article 96 of the protocol.

Although we have joined the consensus on the resolution on the "Declaration on South Africa," reflecting our agreement with the thrust of the resolution, we wish to make clear our position on two points.

First, we interpret the phrase "nuclear power" in operative paragraph six to mean "nuclear military power." Second, it is our position that the means of struggle which are sanctioned by this assembly in operative paragraph two of the declaration on South Africa must not include actions in contradiction to the letter or spirit of the UN Charter. Mr. President, we are, of course, specifically concerned that this body *not* endorse actions such as those which have in recent weeks affronted the international community.

In addition to the resolutions for which we have voted, the United States strongly supports the overall thrust of four additional resolutions. We have ab-

stained because of disagreement with specific aspects of these resolutions. Our reservations include:

—Our laws make it impossible for the United States to carry out some of the requests included in the resolution on the "Role of the mass media in international action against apartheid;"

—Our position on the participation of private individuals and organizations in sporting events remains unchanged;

—The recommendation contained in the resolution on "Investments in South Africa" does not accord with U.S. policy.

The United States has opposed eight of these resolutions. My delegation regrets that it is unable to support fully all of the anti-apartheid resolutions because we fear that South Africa might derive false encouragement from this position.

Let me make clear that United States opposition to some resolutions before us today stems from specific elements within those resolutions and indicates no weakening of our opposition to apartheid or our resolve to see a free, fair and equal society emerge in South Africa.

Mr. President, although we have voted against the resolution on nuclear collaboration with South Africa, I wish once more to state U.S. policy. We ceased exports of nuclear materials and equipment to South Africa in 1975. Moreover, the United States Nuclear Non-Proliferation Act of 1977, which will come fully into effect in March, 1980, will cause the United States to withhold all forms of nuclear cooperation from those states, including South Africa, which have refused to accept international safeguards for all their nuclear facilities. Elsewhere the United States strongly objects to the provision of UN funds, either from voluntary contributions or from the assessed budget, to South African liberation movements themselves. We also disapprove of the recommendation that a special annual allocation be made to the Special Committee against Apartheid. We will oppose such proposals in the Fifth Committee.

Furthermore, the United States has four broad reservations concerning the resolutions on which this Assembly has voted today. First, we object strongly to any attempts to politicize the specialized agencies of the United Nations. Second, we reiterate our opposition to provisions of the program of "International Mobilization Against Apartheid." Third, we understand the term "the national liberation movement," contained in several resolutions, to refer to the entire anti-apartheid movement and not to specific organizations. Finally, we do not interpret the term "acts of aggression" as it appears in several resolutions to be used in the same sense as in article 39 of the Charter.

Mr. President, it is unfortunate that the determined opposition of my Government and people to apartheid could not be fully reflected in the votes which we have, of necessity, taken on certain of the anti-apartheid resolutions. This situation came about because some provisions of the resolutions have been included without regard to facts, without regard to whether the views expressed are widely shared, without consideration of whether the resolution outlines a feasible program of action to combat apartheid or, in some cases, whether certain provisions are in conformity with the UN Charter. The adoption of resolutions that are patently unrealistic and that elicit no action tends to bring into disrepute the United Nations in general and the General Assembly in particular. I urge that in the future a special effort be made to prepare resolutions worthy of broad support. Then the United Nations can indeed be united in the face of the challenge to assure the rights of those now oppressed by apartheid.

Kampuchea

SECURITY COUNCIL

In a telegram received at the United Nations January 3, 1979, Democratic Kampuchea requested an urgent Security Council

meeting to condemn Vietnamese aggression and to take necessary measures to end the aggression. This was a followup to an earlier cable in which Kampuchea accused Vietnam of intensifying acts of aggression and invasion against its sovereign territory. A UN spokesman on January 4 made a statement on behalf of Secretary General Waldheim appealing to all concerned, while awaiting the outcome of the Security Council deliberations, to exercise restraint and to refrain from moves which might further escalate the fighting.

During the first Security Council session January 11, on the Kampuchean complaint against Vietnam, the Security Council agenda was adopted without vote. A Soviet motion to adjourn until the Kampuchean People's Revolutionary Council (KPRC) delegation arrived in New York was defeated, with 2 in favor (Czechoslovakia and U.S.S.R.) and 13 (U.S.) against. The Council then approved without vote a request by Democratic Kampuchea to participate in the Security Council discussion under Rule 37 as a governmental representative. China submitted a draft resolution condemning Vietnam for invasion and aggression, calling on Vietnam to withdraw its forces; asking for an end of aid to Vietnam by governments and international agencies; providing for the Security Council to reconvene to consider effective measures if Vietnam continued its aggression; and requesting the Secretary General to submit a report as early as possible on implementation of the resolution.

Debate in the Security Council continued January 12 and 13. On January 13, U.S. Ambassador Andrew Young, after noting violation by Vietnam of several key Charter principles, called for restraint by all parties, urgent withdrawal of foreign forces from Kampuchea, efforts to ensure the integrity of East Asian frontiers is respected, and measures to avoid expansion of the area of conflict.

A draft resolution, introduced January 15 by Kuwait, also on behalf of Bangladesh, Bolivia, Gabon, Jamaica, Nigeria, and Zambia, called for a cease-fire and withdrawal of foreign forces, strict adherence to the principle of noninterference in the affairs of states, and a report by the Secretary General within 2 weeks. The vote on the resolution was 13 (U.S.) for, 2 against (Czechoslovakia and U.S.S.R.). The resolution thus failed to pass because of a Soviet veto.

On February 14, Democratic Kampuchea again requested an urgent Security Council meeting to review the Kampuchean situation. On February 18, a UN spokesman said the Secretary General remained deeply concerned about the hostilities in Indochina and urged all concerned to see that the fighting was ended. At about the same time, China submitted a letter to the United Nations, which set forth its rationale for the Chinese attack against Vietnam, and Vietnam addressed a letter to the President of the Security Council indicating that it expected the council to consider the situation and take appropriate measures to end China's attack against Vietnam. On

February 22, the Secretary General renewed his appeal for a peaceful solution and stated that his good offices were available should the parties involved wish to make use of them.

Joined by the British, Norwegians, and Portuguese, on February 22, 1979, the United States formally requested that the Security Council meet to consider the situation in Southeast Asia and its implications for international peace and security. Japan later made a separate request for a meeting, and Australia, Canada, and New Zealand joined the call on February 23.

On the evening of February 23, the Security Council opened debate on the situation in Southeast Asia. Ambassador Young emphasized that previous border incidents did not give China the right to attack Vietnam. He suggested the Security Council should call for an immediate cease-fire, a withdrawal of all foreign forces from Vietnam and Kampuchea, a commitment by all parties to settle their differences by peaceful means and the beginning of practical diplomatic processes to this end, and international efforts to assist the parties in resolving their dispute, perhaps under the auspices of the Secretary General. He urged restraint on all concerned in order that the conflict would not be broadened further.

On February 23 the U.S.S.R. and Czechoslovakia jointly introduced a draft resolution condemning China for its invasion of Vietnam, calling on it to withdraw forthwith, and demanding full reparation by Peking for damages done to Vietnam. On February 24, China circulated a draft resolution condemning Vietnam for its aggression against Kampuchea and urging early negotiations between Vietnam and Democratic Kampuchea.

Debate continued February 25 and 27. Exercising right of reply on February 27, Ambassador Young reviewed U.S. actions and statements since its letter to the Security Council of November 1, 1978, which initially drew attention to the deteriorating situation in Southeast Asia. He emphasized U.S. efforts to persuade China not to attack Vietnam, and rejected as wholly false intimations that the United States had colluded in some way with China. He reiterated the U.S. call for both Vietnamese and Chinese forces to withdraw and for all parties to adhere to their Charter obligations.

Debate continued February 28 and was then suspended. After extensive informal consultations, a resolution cosponsored by the five ASEAN⁸ nations was introduced in the Security Council on March 13. Without mentioning specifically the conflict in either Vietnam or Kampuchea, the resolution called for a cessation of hostilities, withdrawal of foreign forces, and restraint by powers outside the region. It welcomed the offer of the Secretary General to extend his

⁸Indonesia, Malaysia, Philippines, Singapore, and Thailand.

good offices in search of a peaceful solution. The resolution, on March 16, received a favorable vote of 13 (U.S.) for and 2 against but was vetoed by the U.S.S.R.

Following the Soviet veto, U.S. Ambassador Richard Petree reviewed the dangerous situation in Southeast Asia in some detail, particularly the continued Vietnamese occupation of Kampuchea, the fighting in that country, the slowness of the Chinese withdrawal from Vietnam, and the prospect that Sino-Vietnamese hostilities might not, in fact, end. He noted the serious incidents which had occurred on Kampuchea's border with Thailand and Laos' concern about Chinese intentions and actions on its border. Ambassador Petree then pointed out the broad agreement existing in the Security Council and among other concerned nations that the situation was perilous and that its solution lay in bringing about a cease-fire, a withdrawal of forces from foreign territory, and a diplomatic process to allow the parties to compose their differences peacefully and in a manner leading to a mutual respect for international boundaries.

He regretted that the Soviet Union had, for the second time in just over a month, vetoed a resolution supported by the overwhelming majority of the Security Council and by the international community. Ambassador Petree welcomed the Secretary General's offer of his good offices, encouraged China and Vietnam to negotiate their differences, and urged consideration of an international conference on Kampuchea.

Thailand's Complaint Against Kampuchea

On October 16, 1979, Thailand sent a letter to the Secretary General protesting recent incidents of shelling across the Thai-Kampuchean border as violations of Thailand's sovereignty and territorial integrity. The letter requested no action by the United Nations but reserved Thailand's right to call for action by the Security Council if warranted. A second letter, protesting further violations of Thai territory, was sent October 23, 1979, and another letter addressed itself to the new wave of Kampuchean refugees that had crossed into Thailand as a result of a Vietnamese offensive in Kampuchea. On October 26, the Thai Prime Minister announced that he wanted the United Nations to send a factfinding committee to the Thai-Kampuchea border. A letter to the Secretary General dated November 1 became the third Thai complaint of violations of its border, and a fourth letter was sent November 23. The latter noted that the incidents in question took place at a time⁹ when the UN fact-finding mission was in Thailand, on behalf of the Secretary General, to establish the facts prevailing along the Thai-Kampuchean border.

⁹The mission visited Thailand for a 2-week period ending November 29, 1979.

A fifth Thai letter, dated December 17, complained of further violations of the Thai border and formally requested the dispatch of UN permanent observers to two sites in eastern Thailand. A sixth complaint, dated December 27, reported further incidents and called on all parties engaged in the fighting in Kampuchea to observe strictly General Assembly resolution 34/22. (See below, p. 40).

GENERAL ASSEMBLY

Credentials

At the end of the first meeting of the 34th General Assembly on September 18, the credentials of the representatives of Democratic Kampuchea were challenged by Vietnam. The General Assembly President ruled that the matter would be referred to the Credentials Committee, which was asked to meet expeditiously and report to plenary September 21.

Meeting on September 19, the Credentials Committee approved a Chinese motion that it accept the credentials of the Democratic Kampuchean representatives. The vote was 6 (U.S.) to 3. Speaking before the vote, U.S. Representative Robert Rosenstock noted our abhorrence at the actions of Democratic Kampuchea toward its own people but emphasized that the sole issue before the committee was the validity of the credentials of the representatives of that government. He said that the credentials themselves were clearly in accordance with General Assembly rules of procedure and added that in the absence of a clearly superior claim, the General Assembly should continue to seat a government whose credentials were accepted at the last session of the General Assembly.

On September 21, the plenary Assembly considered the recommendation of the Credentials Committee that it adopt the committee report accepting the credentials of Democratic Kampuchea. The report was adopted by a vote of 71 (U.S.) to 35, with 34 abstentions. The final vote came after three procedural votes were won by those supporting continued seating of Democratic Kampuchea. A proposal by India to keep the seat vacant was tabled as an amendment to the recommendation of the Credentials Committee, but the General Assembly decided it constituted a separate proposal, thus denying it priority in the voting. Ambassador Richard Petree, as one of the final speakers before the voting, supported the Credentials Committee's recommendation on technical grounds but made clear our abhorrence for the policies of the Pol Pot regime. He added that the General Assembly, in the absence of a superior claim, should continue to accept the credentials of a government seated by the last General Assembly.

The People's Republic of Kampuchea, installed and maintained by Vietnam through its military invasion and continuing occupation of Kampuchea, clearly did not present such a superior claim. In the case of the Vietnamese invasion, he added, UN members confronted an important principle of the UN Charter—the sovereign independence of member states. Finally, he called on the United Nations to use its machinery to investigate the overall human rights situation in Kampuchea and the political aspirations of the Khmer people. He said that the United States looked forward to working with all UN members to encourage withdrawal of Vietnamese troops, an end to outside interference, and emergence of a genuinely independent government in Kampuchea which is at peace with its neighbors, represents the aspirations of the Khmer people, and respects their human rights.

Plenary Consideration

On October 25, Vietnam, with Afghanistan, Angola, Grenada, Laos, and Nicaragua as cosponsors, submitted a draft resolution. The resolution did not mention the humanitarian aspect of the Kampuchean problem and did not specifically name anyone as being responsible for the situation. ASEAN representatives tabled their draft resolution, with 25 cosponsors, on November 5. The ASEAN draft addressed both the political and humanitarian issues involved in the Kampuchean crisis. It included a strong appeal for relief supplies and assistance and observation of basic human rights, coupled with a call for a cease-fire, withdrawal of foreign forces, and use of democratic processes in choosing a Kampuchean Government. The Secretary General was asked to follow the situation closely, exercise his good offices in contributing to a peaceful solution, and to report on the situation at the earliest opportunity. A later revision asked the Secretary General to explore the possibility of holding an international conference on Kampuchea. On November 12, India submitted a draft resolution that urged the convening of a conference to discuss the tensions in Southeast Asia and requested the Secretary General to render his assistance in the effort.

Debate on the Kampuchean item started November 12. On November 13, U.S. Ambassador William J. vanden Heuvel spoke in favor of the ASEAN draft resolution. He emphasized the urgent humanitarian relief needs in Kampuchea, urging that military and political calculations be put aside in favor of relief efforts. He cited human rights violations by both the competing Kampuchean regimes, emphasizing U.S. abhorrence of Pol Pot. The Ambassador stressed U.S. concern over the situation on the Thai-Kampuchean border and noted the broader threat to peace in the area already demonstrated by Chinese retaliation against Vietnam.

He noted other specific proposals involving the convening of an international conference on Kampuchea and said that the United States is in principle prepared to give such a suggestion careful consideration. At a certain stage, a carefully prepared and broadly based conference could contribute to a political solution. However, with the humanitarian needs of the Khmer people unmet, with aggressive military occupation still in progress, and with no agreement by Vietnam and its supporters on the application of Charter principles, the United States does not believe that stage has been reached.

After the debate concluded on November 14, the ASEAN draft resolution was adopted by a recorded vote of 91 (U.S.) to 21, with 29 abstentions. (Resolution 34/22.) The plenary Assembly had earlier approved a Malaysian proposal to give the ASEAN text priority by a recorded vote of 85 (U.S.) to 32, with 23 abstentions. Before the voting began, the Indian representative reviewed the reasons for submitting India's draft but announced that it would not be pressed in light of its rejection by ASEAN. Following adoption of the ASEAN resolution, Senegal argued that its approval superseded the Vietnamese draft resolution and proposed that the latter not be put to a vote. This proposal was approved 62 (U.S.) to 36, with 38 abstentions.

DISARMAMENT AND ARMS CONTROL

Committee on Disarmament

The Committee on Disarmament (CD), which held its first meeting in Geneva, Switzerland, during January 1979, is the principal international forum for the negotiation of arms control and disarmament agreements. The slightly enlarged successor to the Conference of the Committee on Disarmament, the CD is composed of the nuclear weapon states and 35 additional states whose membership was decided upon during the UN special session on disarmament in 1978.¹⁰ Although the CD is not an organ of the United Nations, it reports annually to the UN General Assembly and conducts some of its work in response to General Assembly resolutions. The Chairmanship of the CD rotates monthly among all its members.

In 1979, the CD met from January 24 to April 27 and from June 14 to August 14. During these sessions the U.S. delegation was

¹⁰The 40 members of the CD are Algeria, Argentina, Australia, Belgium, Brazil, Bulgaria, Burma, Canada, China, Cuba, Czechoslovakia, Egypt, Ethiopia, France, German Democratic Republic, Germany, Federal Republic of, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Sri Lanka, Sweden, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zaire.

represented by Ambassador Adrian S. Fisher. In addition to 52 formal plenary meetings, the CD conducted informal meetings on various subjects, including a comprehensive test ban, nuclear disarmament, negative security assurances, chemical weapons, radiological weapons, and new types of weapons of mass destruction.

COMPREHENSIVE TEST BAN AND SEISMIC COOPERATION

The CD held meetings on a comprehensive test ban (CTB) from June 21 to 22 and from July 30 to August 3. On July 31 the United Kingdom made a statement on behalf of the negotiating powers (United Kingdom, United States, and the U.S.S.R.) concerning the tripartite negotiations on a treaty prohibiting nuclear tests in all environments and its protocol covering nuclear explosions for peaceful purposes.

In discussing the progress of the tripartite negotiations, United Kingdom Ambassador David Summerhayes stated:

Negotiations over the past year have concentrated on the question of verifying compliance with the treaty. There is agreement that the treaty should provide for verification by national technical means and for the possibility of on-site inspection. Another important aspect of verification will be the exchange of seismic data. . . . Though there is agreement on the main elements of verification, negotiations are still proceeding on the detailed arrangements. As members of the Committee on Disarmament know, verification is a complex subject, involving many technical issues that require time to negotiate.

During this time the Committee also examined the work of the *Ad Hoc* Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events. The *Ad Hoc* Group, established in 1976, is charged with designing a global network of detection and identification methods. This year the *Ad Hoc* Group, which met in Geneva from February 19 to March 2 and from July 16 to 27, concentrated on the technical aspects of a possible experimental test of an international seismic data exchange system which would function under a comprehensive test ban. On August 7 the CD approved the report of the *Ad Hoc* Group and decided to continue its mandate.

NUCLEAR DISARMAMENT

During 1979 CD members exchanged views on a number of specific questions in an effort to determine the prerequisites for and elements of multilateral negotiations on nuclear disarmament.

In a discussion of SALT II, most countries expressed the hope that these agreements would enter into force as soon as possible so that the negotiating process might be resumed. U.S. Representative Adrian S. Fisher acknowledged the special responsibility of nuclear-

weapon states in attaining nuclear disarmament, as well as the difficulty of achieving this goal, when he said:

. . . the United States, for its part, is well aware of the special responsibility carried by the major nuclear weapons states for nuclear disarmament. The experience of the last decade, however, demonstrates that reaching agreement on ultimate objectives is a far simpler task than negotiating the accords which in fact will bring us closer to those objectives.

NEGATIVE SECURITY ASSURANCES

At its 39th plenary meeting on July 5, 1979, the Committee established an *Ad Hoc* Working Group, open to all states members of the Committee, to consider and negotiate on effective international arrangements to assure non-nuclear-weapon states against the use or threat of use of nuclear weapons. The *Ad Hoc* Working Group held seven meetings between July 31 and August 2 and also conducted informal consultations as well. The report submitted to the CD indicated that there was wide recognition of the urgent need to reach agreement on negative security assurances but no consensus emerged on how to arrive at such arrangements. The U.S. assurance, given in a Presidential statement in connection with the 1978 UN special session on disarmament, reads:

The United States will not use nuclear weapons against any non-nuclear-weapons state party to the Non-Proliferation Treaty or any comparable international binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a state allied to a nuclear-weapons state or associated with a nuclear-weapons state in carrying out or sustaining the attack.

The Committee in August 1979 approved the recommendation of the *Ad Hoc* Working Group that the CD should continue negotiations on negative security assurances in its 1980 session.

CHEMICAL WEAPONS

During the meetings held from April 24 to 27 and from July 16 to 27, members of the Committee stressed the importance of negotiating an international convention prohibiting the development, production, and stockpiling of chemical weapons. Several procedural suggestions toward this end were made by various members, but no agreement on the methods and procedures of handling the question of chemical weapons was reached.

On July 31, 1979, the delegations of the Soviet Union and the United States presented a joint statement on their bilateral negotiations on a chemical weapons convention. Soviet Ambassador V. L. Issraelyan reaffirmed both countries' commitment by saying: "Both

sides will exert their best efforts to complete the bilateral negotiations and present a joint initiative to the Committee on Disarmament on this most important and extremely complex problem as soon as possible.”

RADIOLOGICAL WEAPONS

On July 9, 1979, the Soviet Union and the United States submitted an agreed joint proposal on major elements of a treaty prohibiting the development, production, stockpiling, and use of radiological weapons. They urged the Committee to give the initiative prompt consideration so that a draft treaty text could be developed in the near future. The Committee agreed to continue consideration of the proposal as soon as possible at its next session.

NEW TYPES OF WEAPONS OF MASS DESTRUCTION

A Soviet proposal on the prohibition of new types of weapons of mass destruction was considered from July 10 to 13. The Soviet Union continues to lead a group in the CD which believes that a comprehensive agreement is needed. They believe that concluding separate agreements covering individual weapons would not offer a solution to the problem of completely sealing off specific avenues of the arms race.

The United States and others believe that these weapons should be dealt with on a case-by-case basis. According to this view, a meaningful prohibition of weapons of mass destruction can be achieved only by defining these weapons in separate agreements and by designing an adequate verification system for each new type. Experts from several countries provided additional information, and the Committee decided to examine the problem further during its next session.

Disarmament Commission

The Disarmament Commission, inactive since 1965, was reconstituted by the 1978 special session of the General Assembly devoted to disarmament. It was restructured as a deliberative body subordinate to the General Assembly, consisting of all UN members, exerting maximum effort to reach decisions by consensus. Two organizational meetings were held in September and December 1978, during which M. A. Vellodi of India was elected chairman.

The first substantive meeting took place at UN Headquarters in New York, May 14 to June 8, 1979. The United States was represented by Ambassador Andrew Young and the U.S. Represent-

ative to the Committee on Disarmament, Ambassador Fisher. The agenda of the Commission included three items: (1) elements of a comprehensive program of disarmament; (2) various aspects of the arms race, particularly the nuclear arms race; and (3) harmonization of views on the reduction of military budgets.

The 4 weeks of the meeting concentrated on a comprehensive disarmament program, and the two other agenda items were carried over to the 1980 session. Although there were strong differences of view as to whether the program should include all or only some of the possible disarmament measures and whether or not elements should be simply listed or rank-ordered by priority, a consensus was achieved on the vast majority of the elements of a comprehensive disarmament program. While the Commission considered elements of the program, it also considered the following items, on which consensus was not reached: (1) prohibition of the use or threat of use of nuclear weapons; (2) dissolution of military alliances and the dismantling of foreign military bases; and (3) prohibition of the development, production, and deployment of conventional weapons of great destructive power.

Commenting on the comprehensive program of disarmament, Ambassador Fisher said:

First, the treatment of non-proliferation in the document is, in the judgment of the U.S. delegation, quite inadequate in view of the critical importance of halting further spread of nuclear weapons. . . . Secondly, the United States views the treatment of disarmament and development and the reduction of military expenditures as inadequate. Clearly, there can be no basis for negotiation on the reduction of expenditures or the reallocation of that expenditure to development without reliable information about what states are actually spending or adequate methods for comparing expenditures internationally and verifying compliance with whatever reductions are agreed to.

A draft resolution entitled "Report of the Disarmament Commission," sponsored by 17 countries, was introduced on November 21 by Yugoslavia in the First Committee. The resolution, *inter alia*, (1) welcomed the consensus recommendations of the Disarmament Commission concerning the elements of a comprehensive program on disarmament; (2) requested the Commission to meet for a period not exceeding 4 weeks, beginning May 12, 1980, to continue its work; and (3) requested it to submit a report on its work to the 35th General Assembly. The draft was approved in Committee on November 23 by consensus and by the plenary Assembly, also without a vote, on December 11. (Resolution 34/83 H.)

General Assembly

The 34th General Assembly had over 40 arms control-related items on its preliminary agenda. On the recommendation of the First Com-

mittee, which considers disarmament and national security issues, the Assembly adopted 39 of these resolutions. Of these 39, the United States supported 29, abstained on 7, and voted against 3. The most important resolutions pertaining to disarmament issues are summarized below.

NUCLEAR-WEAPON-FREE ZONES

The Assembly adopted five resolutions concerning the creation of nuclear-weapon-free zones in various parts of the world.

Protocols I and II of the Treaty of Tlatelolco

The Treaty of Tlatelolco¹¹ and its related protocols provide for a nuclear-weapon-free zone in Latin America. Protocol I states that non-Latin American states that administer territories within the zone should not store or deploy nuclear weapons within those territories. Of the four countries eligible, the United Kingdom and the Netherlands have adhered to Protocol I; the United States signed it on May 26, 1977; and France signed it on March 2, 1979. Neither nation had ratified it by the end of 1979. Protocol II contains an undertaking by nuclear-weapon states not to contribute to any violations of the basic treaty and not to use or threaten to use nuclear weapons against Latin American countries that are parties to the treaty. All five nuclear-weapons states—the United States, the United Kingdom, France, the People's Republic of China, and the U.S.S.R.—are parties to Protocol II.

On November 12, on behalf of 22 Latin American and Caribbean states, Mexico introduced 2 draft resolutions dealing with these Protocols. The first took note of the recent signing of Protocol I by France and urged both the United States and France to take all necessary steps to secure ratification as soon as possible. The First Committee approved the draft resolution by consensus on November 16. The Assembly adopted resolution 34/71 without vote on December 11.

The second draft resolution welcomed the fact that Protocol II had been signed and ratified by the nuclear-weapon states, thus fulfilling an aspiration of the General Assembly. The First Committee approved the draft resolution by consensus on November 16, and resolution 34/74 was adopted on December 11 by the General Assembly without vote.

¹¹Treaty for the Prohibition of Nuclear Weapons in Latin America, done at Tlatelolco (Mexico City) Feb. 14, 1967; entered into force April 22, 1968.

African Nuclear-Weapon-Free Zone

Resolutions calling on all states to respect the Continent of Africa as a nuclear-weapon-free zone have been adopted by the General Assembly on several occasions since 1961.

On November 14, Nigeria introduced a draft resolution on the denuclearization of Africa which, in its final form, was sponsored by 38 African states. As in the past, the resolution called upon all states to "consider and respect" Africa as a nuclear-weapon-free zone. It vigorously condemned the reported explosion of a nuclear device by South Africa and requested that the Security Council institute effective enforcement action to prevent South Africa from further "endangering international peace and security through its acquisition of nuclear weapons." It requested the Secretary General to prepare a comprehensive report on South Africa's plan and capability in the nuclear field for submission to the 35th General Assembly.

The First Committee approved the resolution on November 21 by a vote of 85 (U.S.S.R.) to 0, with 11 abstentions (U.S.), and the Assembly adopted resolution 34/76 on December 11 by a recorded vote of 128 to 0, with 11 abstentions (U.S.).

In explanation of the U.S. vote on November 21, the U.S. Representative, Ambassador Fisher, stated:

The abstention of the United States on this draft resolution should not be interpreted as any lessening of our support in principle for the creation of an African nuclear-weapon-free zone consistent with the well-known United States position on the principles for establishing such zones. . . . However, it is important to stress that we have to date obtained no corroborative evidence and hence are not able to confirm that any nuclear explosion took place.

Middle East Nuclear-Weapon-Free Zone

In 1974 the General Assembly had for the first time adopted a resolution commending the idea of establishing a nuclear-weapon-free zone in the Middle East. Subsequent consideration of this question has reflected a wide divergence of views among states of the region on acceptable procedures for establishing the proposed zone.

On November 16 Egypt introduced a draft resolution that called for establishing a nuclear-weapon-free zone in the Middle East in terms similar to earlier resolutions. The draft urged "all parties directly concerned" to adhere to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons. It invited these countries, pending establishment of such a zone, to "refrain on a reciprocal basis from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices." In addition, it called upon the Middle East nations "to place all their nuclear activities under International Atomic Energy Agency safeguards."

On November 23, the First Committee approved the resolution by

a vote of 130 (U.S.) to 0, with 1 abstention (Israel). The General Assembly adopted resolution 34/77 on December 11 by a recorded vote of 136 (U.S.) to 0, with 1 abstention (Israel).

South Asian Nuclear-Weapon-Free Zone

The question of establishing a nuclear-weapon-free zone in South Asia, first considered by the Assembly in 1974, has occasioned contentious debates between India and Pakistan. While Pakistan has advocated a zone generally limited to the subcontinent (i.e., excluding China), India has stated that it will support creation only of a zone which covers a broader Asian area, including China, and which results from consultations among the potential participants concerning such a zone.

On November 6 Pakistan introduced a draft resolution, which *inter alia*: (1) reiterated the Assembly's conviction that establishing nuclear-weapon-free zones throughout various regions of the world is a measure which can contribute to the objectives of non-proliferation of nuclear weapons and general and complete disarmament; (2) urged the states of South Asia to make "all possible efforts" to establish such a zone; and (3) called upon nuclear-weapon states to "respond positively to this proposal and to extend necessary cooperation" in this effort.

On November 21, the First Committee approved this resolution by a vote of 86 (U.S.) to 3 (India), with 38 abstentions (France, U.K., U.S.S.R.). The General Assembly adopted resolution 34/78 on December 11 by a recorded vote of 96 (U.S.) to 2, with 40 abstentions.

INDIAN OCEAN PEACE ZONE

In 1971 the General Assembly adopted a resolution declaring the Indian Ocean a "zone of peace." The following year the Assembly established an *Ad Hoc* Committee, on the Indian Ocean, and since then the Assembly has annually adopted resolutions aimed at implementing the "zone of peace."

On November 12, Sri Lanka, on behalf of the members of the *Ad Hoc* Committee, introduced a two-part draft resolution in the First Committee. In the preambular section of Part A it was noted that the talks initiated between the U.S.S.R. and the United States regarding their military presence in the Indian Ocean remain suspended. In the operative paragraphs of Part A the resolution, among other things: (1) urged the Soviet Union and the United States to resume talks without delay; (2) renewed the general mandate of the *Ad Hoc* Committee and; (3) requested the *Ad Hoc* Committee to submit a full report on its work to the General Assembly at its 35th session.

Part B of the draft resolution decided that a conference on the Indian Ocean should be convened during 1981 at Colombo, Sri Lanka, to implement the Declaration of the Indian Ocean as a Zone of Peace, as contained in resolution 2832 (XXVI).

On November 30 the First Committee approved Part A of the resolution by a vote of 102 to 0, with 23 (U.S., U.S.S.R.) abstentions and Part B by a vote of 111 (U.S.S.R.) to 0, with 14 (U.S.) abstentions. The General Assembly adopted Part A of the resolution on December 11 by a vote of 117 to 0, with 23 (U.S., U.S.S.R.) abstentions, and Part B by a vote of 126 (U.S.S.R.) to 0, with 14 (U.S.) abstentions. (Resolution 34/80.)

STRENGTHENING THE SECURITY OF NON-NUCLEAR-WEAPON STATES

Three draft resolutions on the question of strengthening the security of non-nuclear-weapon states were introduced in the First Committee by Pakistan, Bulgaria, and the United States.

Pakistan's draft resolution, which was introduced on November 19 and was also sponsored by Mali, recommended that the Committee on Disarmament conclude effective international arrangements during its 1980 session, "taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective." The resolution was approved by the First Committee on November 26 by a vote of 99 (U.S.S.R.) to 0, with 21 (U.S.) abstentions. On December 11 the General Assembly adopted resolution 34/85 by a vote of 120 (U.S.S.R.) to 0, with 22 (U.S.) abstentions.

The draft resolution introduced by Bulgaria on November 12 was subsequently approved by 19 countries, including the U.S.S.R. It recommended that the Committee on Disarmament continue negotiations on a priority basis during its 1980 session with a view to the early conclusion of a convention to assure non-nuclear-weapon states against the use or threat of use of nuclear weapons. This resolution was approved in the First Committee on November 27 by a vote of 91 (U.S.S.R.) to 1 (Albania), with 25 (U.S.) abstentions. On December 11 the General Assembly adopted resolution 34/84 by a recorded vote of 114 (U.S.S.R.) to 1 (Albania), with 25 (U.S.) abstentions.

In introducing the U.S. draft resolution on November 21, Ambassador Fisher stated:

The United States Government firmly believes that resolutions which seek to promote one point of view at the expense of the others are not conducive to progress on this issue and would only complicate the negotiations now under way at the Committee on Disarmament. The United States draft resolution, on the other hand, prejudices the position of no country and thus best serves continued serious negotiations on effective arrangements for negative security guarantees in the Committee on Disarmament.

On November 27 the resolution was approved by a vote of 81 (U.S.) to 1 (Albania), with 27 (U.S.S.R.) abstentions in the First Committee. On December 11, the plenary Assembly voted on this resolution and adopted it by recorded vote of 110 (U.S.) to 1 (Albania), with 29 (U.S.S.R.) abstentions. (Resolution 34/86.)

MASS DESTRUCTION WEAPONS

New Types of Weapons of Mass Destruction

On November 23, a draft resolution was introduced in the First Committee by the Byelorussian S.S.R. and was ultimately sponsored by 9 countries, which (1) noted with satisfaction the "Joint Union of Soviet Socialist Republics-United States of America Proposal on Major Elements of a Treaty Prohibiting the Development, Production, Stockpiling and Use of Radiological Weapons," submitted for consideration by the Committee on Disarmament; (2) urged all states to refrain from any action that could adversely affect the talks aimed at reaching an agreement or agreements to prevent the emergence of new types of weapons of mass destruction; (3) requested that the Committee on Disarmament actively continue negotiations and submit a report on the results achieved to the 35th General Assembly. On the same date the First Committee approved this resolution by a recorded vote of 88 to 0, with 25 (U.S.) abstentions. The United States abstained because it preferred to see new types of weapons of mass destruction identified and dealt with on a case-by-case basis.

The General Assembly adopted this resolution on December 11 by a recorded vote of 117 to 0, with 24 (U.S.) abstentions. (Resolution 34/79.)

Radiological Weapons

The United States and the Soviet Union had completed bilateral negotiations on an agreement "Prohibiting the Development, Production, Stockpiling and Use of Radiological Weapons," which was presented to the Committee on Disarmament for consideration in July.

On November 7 the two countries introduced into the First Committee a draft resolution which (1) welcomed the Committee on Disarmament's report regarding radiological weapons and its stated intention to continue considering proposals for a convention banning these weapons and (2) requested negotiations to proceed on the text of such a convention.

In his introduction of the draft resolution, Ambassador Fisher said that verification was an essential and long-recognized requirement

of any effective arms control or disarmament measure. The United States was satisfied that the verification provisions incorporated in the U.S.-U.S.S.R. joint initiative on radiological weapons met this requirement. The threat of radiological weapons, though potential, was nevertheless a real threat. The United States expressed the hope that the draft resolution which called for the negotiation of a convention by the Committee on Disarmament would meet with the broadest support of the General Assembly.

The First Committee approved this resolution on November 16 by consensus. Resolution 34/87 A was adopted by the General Assembly without vote on December 11.

Chemical Weapons

On November 26 Canada, subsequently joined by 45 other countries, introduced a draft resolution in the First Committee on chemical weapons. The draft resolution reaffirmed the necessity of strict observance of the principles and objectives of the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction.¹² It also expressed regret that agreement on the complete and effective prohibition of the development, production, and stockpiling of all chemical weapons had not yet been achieved and urged the Committee on Disarmament to undertake negotiations on such an agreement during its 1980 session.

The First Committee approved the resolution by consensus on November 26, and the plenary Assembly adopted resolution 34/72 also without vote on December 11.

CONFIDENCE BUILDING MEASURES

On November 14 the Federal Republic of Germany, subsequently joined by 22 other countries, including the United States, introduced a draft resolution in the First Committee entitled "Confidence Building Measures." The draft resolution expressed the desire "to eliminate the sources of tension by peaceful means and thereby contribute to the strengthening of peace and security in the world." The resolution requested the Secretary General to carry out a comprehensive study on confidence building measures with the assistance of a group of qualified governmental experts. A progress report on the work of the group of governmental experts is to be submitted at the

¹²A/Res/2826 (XXVI) Annex.

35th session of the General Assembly; the completed report to the 36th session.

The First Committee approved the resolution by consensus on November 16, and on December 11 resolution 34/87 B was adopted by the General Assembly without vote.

COMPREHENSIVE TEST BAN

On November 14 Australia introduced a draft resolution, ultimately sponsored by 34 countries, in the First Committee dealing with the cessation of nuclear-weapon testing by all states in all environments as a major step towards ending the qualitative improvement, development, and proliferation of nuclear weapons. The draft resolution entitled "Implementation of A/Res/33/60" called upon the three negotiating nuclear-weapon states (the United States, the United Kingdom, and the Soviet Union) to bring their negotiations to a positive conclusion in time to be considered at the next session of the Committee on Disarmament. It also requested that the Committee on Disarmament initiate multilateral negotiations on a comprehensive test ban treaty.

On November 26 the resolution was approved by a vote of 128 (U.S.) to 0, with 2 abstentions in the First Committee. On December 11 the General Assembly adopted resolution 34/73 by a recorded vote of 137 (U.S.) to 0, with 2 abstentions.

DISARMAMENT DECADE

A resolution adopted by the General Assembly in 1969 declared the 1970's a "Disarmament Decade." Much disappointment was expressed in discussions this year that the purposes and objectives of the Decade had not been realized.

On November 14 Nigeria, on behalf of 23 states, introduced a draft resolution, "Consideration of the Declaration of the 1980's as a Disarmament Decade." The draft resolution in its principal operative paragraphs (1) declared the decade of the 1980's as the Second Disarmament Decade; (2) directed the Disarmament Commission to prepare a draft resolution entitled "Declaration of the 1980's as the Second Disarmament Decade"; and (3) determined that the draft resolution should contain an indication of specific target dates for accomplishing major objectives and disarmament goals during the decade.

The First Committee approved the resolution by consensus on November 19, and the General Assembly adopted resolution 34/75 without vote on December 11.

WORLD DISARMAMENT CONFERENCE

The question of convening a world disarmament conference has been on the agenda of the General Assembly since 1971, when the Soviet Union introduced the subject. In 1973 the Assembly established an *Ad Hoc* Committee on the World Disarmament Conference, composed of 40 non-nuclear-weapon states, to examine the views of states on convening such a conference.

The United States abstained on the initial resolution but joined in consensus approval of the 1973 and subsequent implementing resolutions because these did not imply any commitment to convene or to begin preparations for a conference.

The U.S. position continues to be that such a world conference, while it might be useful at some stage in the future, would at the present time be more harmful than helpful to progress on disarmament.

On November 15 a draft resolution, ultimately sponsored by seven states, was introduced by Sri Lanka. The draft resolution renewed the mandate of the *Ad Hoc* Committee and requested the Committee to submit to the 35th session of the General Assembly a report on the state of its work and deliberations and to maintain close contact with the representatives of states with nuclear weapons in order to remain currently informed of their positions.

The First Committee approved the draft resolution by consensus on November 2, and the plenary Assembly adopted it without vote on December 11. (Resolution 34/81.)

SPECIFIC CONVENTIONAL WEAPONS CONFERENCE

On December 14, 1978, the General Assembly adopted resolution 33/70, expressing its conviction that the suffering of civilian populations and combatants could be significantly reduced if general agreement could be reached on prohibiting or restricting, for humanitarian reasons, the use of specific conventional weapons. The resolution also called for a UN Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects to be convened. The Conference met for the first time in Geneva from September 10 to 28, 1979, and produced a report that was presented to the General Assembly during its 34th session.

On November 14, Nigeria introduced a draft resolution, supported by 18 additional nations, in the First Committee regarding the United Nations Conference. In its principal operative paragraphs, the resolution took note of the agreement reached on banning the use of nondetectable fragments, the wide measure of agreement reached regarding landmines and boobytraps, and the resolution of the Con-

ference concerning the development of small caliber weapons. It also endorsed the recommendation to hold another session beginning September 15, 1980, and invited states to continue participating actively in the conference.

The First Committee approved the resolution on November 21 by consensus. The General Assembly adopted resolution 34/82 without vote on December 11.

REDUCTION OF MILITARY BUDGETS

On November 14, Romania introduced a draft resolution, ultimately sponsored by 12 countries, in the First Committee entitled "Freezing and Reduction of Military Budgets." The resolution was introduced as a follow-on to a provision of the Final Document of the tenth special session of the General Assembly that advocates "gradual reduction of military budgets on a mutually agreed basis."

The operative paragraphs of the draft resolution (1) urged new impetus to endeavors to achieve agreements to freeze, reduce, or otherwise restrain military expenditures; (2) requested the UN Disarmament Commission to undertake a study in 1980 to identify effective means of achieving such agreements; and (3) appealed to states to exercise self-restraint in their military expenditures.

The First Committee approved the resolution on November 21 by a vote of 123 (U.S.) to 0, with 1 abstention. The General Assembly adopted the resolution without vote on December 11. (Resolution 34/83 F.)

NON-USE OF NUCLEAR WEAPONS

On November 14, India introduced a draft resolution supported by 11 other nations, calling on states to transmit their views concerning the non-use of nuclear weapons and avoidance of nuclear war and related matters to the Committee on Disarmament. The Committee was requested to consider these views along with other related items on its agenda and to report to the General Assembly at its 35th session.

The First Committee approved this resolution on November 26 by a vote of 100 to 16 (U.S.), with 14 abstentions. The General Assembly subsequently adopted resolution 34/83 G by a recorded vote of 112 to 16 (U.S.), with 14 abstentions on December 11.

INADMISSABILITY OF HEGEMONISM

Three competing resolutions were considered under this topic. The Soviet Union began the process on October 16 when it introduced a

draft resolution defining hegemonism as "the desire of some states to dominate other states and peoples" and declared that states or groups of states should never "claim hegemony in international affairs or seek a position of domination either in the world as a whole or in any of its regions."

China followed on November 2 with a draft resolution that noted that states pursuing a policy of global hegemonism "trample upon the sovereignty of other states, occupy their territories and interfere in their internal affairs in an attempt to control, dominate or rule other states, regions and even the whole world." It condemned "super-power global hegemonism in particular" and declared that it was impermissible for any state to impose its will upon others.

When a non-aligned draft resolution on hegemonism emerged on November 27, both the Soviet Union and China indicated that they would not press their resolutions to a vote.

The non-aligned draft, which was the version ultimately adopted, called hegemonism a policy by a state or group of states "to control, dominate, and subjugate, politically, economically, ideologically or militarily, other states, peoples or regions of the world." It also called "imperialism, colonialism, neo-colonialism, racism including Zionism and apartheid" manifestations of hegemonism.

After a separate vote on the phrase "including Zionism" (67 to 23 (U.S.), with 24 abstentions), the First Committee on November 30 approved the resolution by a vote of 88 to 4 (U.S.), with 24 abstentions. The General Assembly adopted resolution 34/103 on December 14 by a vote of 112 to 4 (U.S.), with 26 abstentions.

Explaining the U.S. negative votes on the "including Zionism" phrase and on the resolution itself, the U.S. Representative, Congressman Larry Winn, noted the well-known U.S. opposition to the effort to equate Zionism with racism. If "including Zionism" had been deleted, however, the United States would have been able to abstain on the resolution only because:

... the Charter of the United Nations clearly defines the rights and obligations of Members. It does not refer to vague abstractions like hegemonism for obvious reasons. We do not see how the attainment of important goals of collective security, peaceful settlement and disarmament will be furthered by the attempt to draft precarious definitions of hegemonism.

ISRAELI NUCLEAR ARMAMENT

A draft resolution by Iraq, ultimately sponsored by 39 states, was introduced in the First Committee on November 9. The resolution was new in this form in the 34th General Assembly, but it could be regarded as a more carefully worded follow-on to an Iraqi initiative in the 33rd General Assembly. Resolution 33/71 A had condemned and

called for a halt to all military and nuclear cooperation with Israel. The new draft resolution (1) appealed to all states to end cooperation with Israel that might assist it in acquiring and developing nuclear weapons; (2) called upon all states to take all necessary measures to prevent the transfer of fissionable material and nuclear technology to Israel that could be used for nuclear arms; (3) called upon Israel to submit its nuclear facilities to inspection by the IAEA; (4) condemned any attempt by Israel to manufacture, acquire, store, test, or introduce nuclear weapons in the Middle East; (5) requested the Security Council to adopt appropriate measures to ensure the implementation of relevant resolutions concerning Israeli nuclear armament; and (6) requested the Secretary General, with the assistance of qualified experts, to prepare a study on nuclear armaments, with a progress report on the study to be submitted to the 35th General Assembly and the final study to be submitted to the 36th General Assembly.

On November 23 the First Committee approved the draft resolution by a vote of 90 to 11 (U.S.), with 33 abstentions. The U.S. Representative, Ambassador Adrian S. Fisher, stated that the draft resolution contained a number of points which the United States could support in principle. Despite these positive features, the selective approach of singling out a particular country—in this case, Israel—for censure and as a target for collective sanctions did not seem an appropriate approach to the goal of non-proliferation. Therefore, the United States voted against the resolution. The resolution was adopted in plenary session on December 11 by a vote of 97 to 10 (U.S.), with 38 abstentions. (Resolution 34/89.)

OUTER SPACE

The Committee on the Peaceful Uses of Outer Space, its Scientific and Technical Subcommittee, and its Legal Subcommittee all met during 1979. The United States participated actively in their work and in the 34th General Assembly's consideration of the Committee's report.¹³

¹³The 47 members of the Outer Space Committee were Albania, Argentina, Australia, Austria, Belgium, Benin, Brazil, Bulgaria, Cameroon, Canada, Chad, Chile, Colombia, Czechoslovakia, Ecuador, Egypt, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Lebanon, Mexico, Mongolia, Morocco, Netherlands, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Sierra Leone, Sudan, Sweden, Turkey, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia.

Scientific and Technical Subcommittee

The Scientific and Technical Subcommittee held its 16th session in New York from February 5 to February 22. The Subcommittee considered questions relating to remote sensing of the earth by satellites, the UN program on space applications and coordination of outer space activities within the UN system, the forthcoming second UN Conference on the Exploration and Peaceful Uses of Outer Space, questions relating to space transport systems, use of nuclear power sources in outer space, and its ongoing examination of the physical nature and technical attributes of the geostationary orbit.

In considering remote sensing, the Subcommittee members exchanged views on the current preoperational and experimental phase of remote sensing and discussed possible future operational systems.

In its role as adviser to the preparatory committee for the second UN Conference on Exploration and Peaceful Uses of Outer Space, the Subcommittee considered the report and recommendations of a working group concerning the Conference's agenda, preparation and organization, date, and venue.

In other actions, the Subcommittee adopted the report of its working group, established to consider the technical aspects and safety measures relating to the use of nuclear power sources in outer space, and decided that the study on the physical nature and technical attributes of the geostationary orbit should be continued.

Speaking on February 14, the U.S. Representative Arnold W. Frutkin, said the most important topic before the Subcommittee was the use of nuclear power sources in space. He observed that "the task is to search for a solution which recognizes the important role of these devices in the exploration and utilization of space, but also protects mankind from unnecessary risk. The U.S. position is to support a regulatory regime with three major elements: (1) safety standards and procedures; (2) notification; and (3) assistance in emergencies and appropriate handling of costs."

Legal Subcommittee

The Legal Subcommittee held its 18th session in New York from March 12 to April 6, 1979. Its agenda included legal implications of remote sensing of the earth from space, with the aim of formulating draft principles; elaboration of draft principles governing states' use of artificial earth satellites for direct television broadcasting; a draft treaty relating to the moon; and matters relating to the definition and/or delimitation of outer space and outer space activities, bearing in mind, *inter alia*, questions relating to the geostationary orbit.

Although there was no final action on the definition of outer space, some delegations supported a Soviet proposal that a conventional boundary be established between outer space and air space not higher than 100 to 110 kilometers above sea level. Others, including the United States, contended that a definition of outer space was not necessary.

Discussion of the geostationary orbit also continued with some delegations claiming that the orbit was a limited natural resource over which the equatorial states exercised sovereign rights according to international law. The United States and other countries held that relevant provisions of existing agreements were applicable to the geostationary orbit and by no means could it be subject to natural appropriation.

The Subcommittee did not reach consensus on the moon treaty.

Outer Space Committee

The Committee on the Peaceful Uses of Outer Space held its 22nd session in New York from June 18 to July 3. The Committee amended an Austrian compromise text of the treaty relating to the moon and submitted it to the 34th General Assembly for consideration, final adoption, and opening for signature.

The Committee also endorsed the request of the Scientific and Technical Subcommittee's working group on nuclear power sources in outer space that interested member states and international agencies contribute studies on technical aspects and safety measures relating to using nuclear power sources in outer space. The studies were to deal with the elaboration of an inventory of safety problems involved in using nuclear power sources in outer space, implementation of the International Commission for Radiation Protection recommendations in the context of space vehicles utilizing nuclear power sources, evaluation of the existing understanding of orbital mechanics to determine if improvements may be made in predicting re-entry phenomena, and definition of technical considerations regarding a format for notification.

On June 20, the U.S. Representative, Neil Hosenball, reviewed—among other aspects of the U.S. space program—the results of the U.S. Skylab program and the reasons why its orbit had decayed more rapidly than expected. He described U.S. efforts to manage the vehicle's re-entry and the expected effects of its re-entry. He affirmed U.S. readiness to carry out its obligations under the 1971 Liability Convention and noted that with the advent of the reusable Space Shuttle, there would be a significant decrease in the number of U.S. space objects that would decay in orbit.

General Assembly

The Special Political Committee of the 34th General Assembly considered together two outer space agenda items, "International cooperation in the peaceful uses of outer space" and "Preparation of an international convention on principles governing the use by states of artificial earth satellites for direct television broadcasting" during six meetings between October 29 and November 2. On October 31, Austria introduced, in the Special Political Committee, three draft resolutions: (1) international cooperation in the peaceful uses of outer space, (2) the second UN conference on outer space, and (3) the "Agreement Governing the Activities of States on the Moon and Other Celestial Bodies." On November 2 the three resolutions were approved without vote by the Special Political Committee.

The resolution on international cooperation in the peaceful uses of outer space called for the Outer Space Committee and its subcommittees to continue priority consideration of most of the items on their 1979 agendas. It also called for the Legal Subcommittee to review existing international law with a view to determining the appropriateness of adding provisions on the use of nuclear power sources in space. (Resolution 34/66.) The resolution on the second UN outer space conference endorsed the Outer Space Committee's recommendations for the conference and adopted its recommended provisional agenda. (Resolution 34/67.) The resolution on the moon treaty commended the treaty and requested the Secretary General to open it for signature. (Resolution 34/68.) The General Assembly adopted all three resolutions by consensus on December 5.

In a statement on November 1, the U.S. Representative, Richard W. Petree, discussed in detail the draft moon treaty along with other aspects of the Outer Space Committee's work. He noted that it constituted a meaningful advance in the codification of international law dealing with outer space, containing obligations which were of both immediate and long-term application in regarding such matters as the safeguarding of human life on celestial bodies; promoted scientific investigation and the exchange of information relative to and derived from activities on celestial bodies; and enhanced opportunities and conditions for evaluation, research, and exploitation of the natural resources of celestial bodies. In regard to article I of the treaty, he noted *inter alia*, that the fact that a space object in earth orbit also was in orbit around the sun did not bring space objects that were only in earth orbit within the scope of this treaty.

In regard to articles II and III of the draft treaty, he pointed out that article II reaffirmed the application of the Charter of the United Nations and of international law to outer space and that the Charter's provisions relating to the permissible and impermissible

uses of force were as valid for outer space as they were for our seas, land, or air.

Article III, he stated, contained a statement of the principle that the celestial bodies and those orbits around them and to them were to be utilized only for peaceful—i.e., non-aggressive—purposes. He noted that paragraph 2 of article III spelled out in some detail several of the consequences to be drawn from article II; specifically, the second paragraph's purpose was to make clear that it was forbidden for a party to the moon treaty to engage in any threat or use of force on the moon or in other circumstances set forth in paragraph 2 if such acts would constitute a violation of the party's international obligations in regard to the threat or use of force.

Addressing article VII, he declared that it contained important protections for the environment of celestial bodies and that the United States endorsed the Committee's understanding that the language of this article was not intended to be read in such a way as to result in prohibiting the exploitation of natural resources found on celestial bodies, but rather that any such exploitation was to be conducted in such a manner as to minimize, insofar as possible, disruption of or adverse changes in the environment.

In detailed discussion of article XI, Ambassador Petree stated that the common heritage concept—initially suggested by Argentina but formally proposed by the United States in 1972—was set forth in article XI, paragraph 1, which made clear that its meaning, for purposes of the moon treaty, was to be found within the moon treaty itself. Likewise, its meaning in the moon treaty was without prejudice to its use or meaning in any other treaty. Article XI, he affirmed, also made clear that the parties to the treaty undertook—since the exploitation of the natural resources of the celestial bodies other than the earth was about to become feasible—to enter into negotiations to establish a mutually acceptable international regime to govern the exploitation of those mineral and other substantive resources, which may be found on the surface or subsurface of a celestial body. The United States would, when and if negotiations for such a regime was called for under articles XI and XVIII, make a good faith effort to see that such negotiations were successfully concluded. He stated that each of the participants in a regime conference would have to evaluate any treaty that emerged from the conference in light of its own national interests. For the United States, this would require a conclusion that the treaty was balanced and reasonable and would then, as a constitutional matter, require submission to the Senate for its advice and consent. Ambassador Petree made clear that the draft treaty, as part of the compromise by many delegations, placed no moratorium upon the exploitation of the natural resources on celestial bodies by states or their nationals but did provide that any

exploitation of the natural resources of celestial bodies would be carried out in a manner compatible with the purposes specified in paragraph 7 of article XI and the provisions of paragraph 2 of article VI. The United States, he said, viewed the purposes set forth in paragraph 7 as providing both a framework and an incentive for exploitation of the natural resources of celestial bodies. He declared that they constituted a framework because exploitation undertaken by a state party to the treaty or its nationals outside the context of any such regime, either because the exploitation occurred before a regime was negotiated or because a particular state did not participate in the international regime once it was established, would have to be compatible with those purposes set forth in article XI, paragraph 7, of the treaty.

This same paragraph, he maintained, also was an incentive. By setting forth the purposes governing exploitation of natural resources, uncertainty was decreased and both states and private entities may now find it possible to engage in the arduous and expensive efforts necessary if exploitation of the natural resources of the celestial bodies is ever to become a reality. Especially vital in this regard, he suggested, was the fact that article XI (7)(d) recognized that an equitable sharing of the benefits derived from the natural resources of celestial bodies necessitated giving special consideration to those who have contributed directly to the exploration of the moon, as well as to the needs of developing countries and those who have indirectly contributed to the moon's exploration. This language, he said, also reflected the international cooperation that existed today in telecommunications and other practical applications of space, for example, Intelsat, Intersputnik, and Inmarsat—where those states which have expended large resources, either public or private, to develop space systems to exploit these applications have equitably shared the benefits with the international community.

Ambassador Petree also noted that article XI, paragraph 8, not only covered and set the standards for the general right to exploit natural resources (in a manner compatible with article XI, paragraph 7) but also was intended to ensure that the unrestricted right to collect samples of natural resources was not infringed upon and that there was no limit upon the rights of states parties to utilize, in the course of scientific investigations, such quantities of those natural resources found on celestial bodies as are appropriate for the support of their missions.

LAW OF THE SEA

The eighth session of Third UN Conference on the Law of the Sea (UNCLOS) was held in two parts, the first from March 19 to April 27,

1979, in Geneva and the second from July 19 to August 24, 1979, in New York. Ambassador Elliott L. Richardson, Special Representative of the President for the Law of the Sea Conference, led the U.S. Delegation. Work continued in the seven negotiating groups (NG's) created at the seventh session, as well as within the three main committees. Also, at the Geneva meeting, a working group of 21 on Committee I matters (WG-21) was established to expedite negotiations on deep seabed mining issues not resolved in NG's 1, 2, and 3. A revision of the Informal Composite Negotiating Text (ICNT, Rev. 1) was issued at the end of the Geneva meeting. The resumed session in New York was devoted to major issues not resolved in Geneva.

The work of the Conference was conducted in plenary, in the three main committees, the seven NG's, WG-21, in the working groups concerned with dispute settlement and Final Clauses, and in the Drafting Committee. Committee I deals with the organization and principles for the exploitation of the deep seabed. Committee II deals with traditional uses of the seas, such as navigation and overflight, maritime zones, landlocked and geographically disadvantaged states, and living resources of the continental shelf. Committee III deals with marine pollution, marine scientific research, and the transfer of technology. The NG's have been created to expedite work in seven designated problem areas. The first three deal with the deep seabed mining issues: NG-1 with the system of exploration and exploitation and resource policy; NG-2 with financial arrangements; and NG-3 with the composition and powers of and voting in the organs of the International Seabed Authority. Negotiating Groups 4, 6, and 7 deal with issues related to Committee II: NG-4 with the question of access of landlocked and geographically disadvantaged states (LL/GDS) to the living resources of the economic zone; NG-5 with the question of the settlement of dispute relating to the exercise of the sovereign rights of coastal states in the exclusive economic zone; NG-6 with the definition of the outer limits of the continental shelf and with revenue sharing; and NG-7 with the delimitation of maritime boundaries between adjacent and opposite states and the settlement of disputes thereon. The WG-21, composed of 10 states from developed countries, 10 from developing countries, and China, was formed to discuss pending issues in a smaller forum. The texts produced by the WG-21 were included in the ICNT, Rev. 1 not as representing consensus but as offering an improved basis for further negotiation.

Committee I

The ICNT, Rev. 1 is a substantial step toward final agreement. In the revised texts related to the deep seabed mining regime, there is

for the first time a satisfactory foundation upon which to build the assurance of access to seabed minerals. Qualification standards for applicants are limited to financial and technical competence and performance under prior contracts. Except as limited by a production ceiling, all plans of work proposed by all qualified applicants must be approved.

The U.S. Delegation restated its commitment to make the parallel system of access to seabed minerals workable for both states parties and state-sponsored entities on one side and for the Enterprise—the operating arm of the International Seabed Authority—on the other. The positions of some developing countries continued, however, to reflect apprehensions concerning the parallel system and the ability of the Enterprise to function as a self-sustaining operator of seabed mining projects. On August 24, Ambassador Richardson observed that “perhaps the most significant improvement has been to bring both sides of the parallel system into closer balance.” He noted the scaling-down of taxes on miners and agreements on financing of the Enterprise that will permit it to compete and mine on equal footing.

The U.S. Delegation stated the unacceptability of a provision that could terminate access to seabed minerals at a time in the future when these minerals might be most needed. Some delegations hold the position that the parallel system must be a temporary one unless there is agreement to continue it within 5 years of the commencement of a Review Conference, convened 20 years after the approval of the first mining contract.

Some of the most difficult and thorough negotiations have concerned transfer of technology. Although the term “technology” has not been adequately defined, the sale of technology on fair and reasonable commercial terms and conditions was established as an obligation on seabed miners that might be invoked after the award of a contract, with recourse to commercial arbitration in the event of a dispute. In Geneva, the United States circulated a paper making clear its view of the meaning “fair and reasonable commercial terms and conditions.” A U.S. proposal to set a time limit on the obligation to transfer technology was not included in the ICNT, Rev. 1, which also carries over an objectionable provision extending the obligation under certain conditions. The United States succeeded in having included in the revised text two amendments that would significantly strengthen environmental protection provisions related to seabed mining. One amendment makes clear that the Council, the executive arm of the Assembly, can suspend as well as require adjustment of deep seabed mining operations in order to prevent serious harm to the environment. The other changes the standard for disapproval of areas for exploitation from one of “irreparable harm to a unique environment” to “serious harm to the environment.”

At the resumed session in New York, the first item of business for

the WG-21 was the issue of decisionmaking in the Authority. A new proposal on voting in the Council would divide substantive matters into two categories: one would be decided by a two-thirds majority of members present and voting, provided that a majority of the Council's total membership were included, and the other, involving "particularly sensitive" matters, would be decided by a two-thirds majority as long as a certain, unspecified ("blocking") number of the Council members did not vote negatively. The United States made clear that there could be no agreement on the texts or the approach to voting taken in them unless they included a satisfactorily low blocking number. A companion proposal would alter an ICNT, Rev. 1 provision so as to permit the blocking vote to deny approval of a seabed mining plan of work as well as to deny disapproval. The United States, after studying this change, has found it unacceptable.

A proposal in the report of the Chairman of WG-21 would ensure that the Enterprise would have sufficient financing to exploit its initial mine site. Half of the financing would be in the form of long-term, interest-free loans to be advanced by all Parties to the Convention according to the scale of assessments for the budget of the United Nations. The remainder would come from commercial interest-bearing loans guaranteed by all states parties in accordance with the same scale. The U.S. Delegation stated that its government would not subsidize its own miners and would have difficulty with funding by the U.S. Congress that had the appearance of a subsidy for the Enterprise.

On August 24, Ambassador George H. Aldrich, Deputy Chairman of the U.S. Delegation, noted significant improvements and narrowing of differences, as well as remaining problem areas. Although the proposals on financing were much nearer final agreement, it was necessary to avoid "grant assistance" as opposed to loans to the Enterprise. Concerning the Council, he stated there could not be a system in which decisions could be taken against the objections of countries with major economic interest in the seabed. It is, he added, indispensable to provide for commercial arbitration of disputes involving seabed mining contractors.

Ambassador Aldrich responded to the contention that the enactment of national legislation designed to regulate the conduct of deep seabed mining and exploration and exploitation activities undertaken beyond the limits of national jurisdiction would be illegal and potentially disruptive to the Conference. He stated that there exists nothing in customary or conventional international law that precludes governments from acting to regulate the activities of their citizens or that forbids governments or private persons or entities access to the seabed beyond the limits of national jurisdiction for the purposes of exploring and exploiting the resources there. He said

that the legislation contemplated in the U.S. Congress would, by its own terms, be superseded by a treaty in force for the United States. The legislation is designed to establish a regulatory regime for deep seabed mining compatible with the aims of the Conference as they have emerged in the course of negotiations. He concluded that it is widely recognized that commercial recovery of deep seabed mineral resources would not commence until the middle of the 1980's, a date far beyond the date the Conference itself has set for completion of the treaty.

Committee II

Consensus exists on the majority of issues within the jurisdiction of the Committee. Negotiations in 1979 focused on the issues of the definition of the outer limits of the continental shelf, delimitation of maritime boundaries between opposite and adjacent States, and the access of LL/GDS to the living resources of the economic zones of the region or subregion.

In Geneva, the "Irish formula" for defining the outer limits of the continental margin, based upon geomorphological and geological principles, was incorporated into the ICNT, Rev. 1, along with an outermost perimeter based on mileage or depth. A problem involving oceanic ridges arose but was not resolved at the resumed session.

No final resolution of the twin issues, essentially bilateral in nature, of the principles of boundary delimitation between adjacent and opposite states and of procedures for resolving disputes was made in 1979. With the Conference divided on both issues, albeit on different lines, it appears that neutral formulations that do not prejudice the interests of any State in the bilateral disputes will have to be found.

The U.S. Delegation continued efforts to improve provisions concerning conservation of marine mammals. A U.S. proposal will serve as a basis for further discussion at the next session.

At the close of the Geneva meeting, Ambassador Richardson noted the negotiation of a compromise giving LL/GDS access to the surplus fish stocks in the exclusive economic zones of the coastal States in their region. As one of the seven hardcore issues, he concluded that its resolution stood as a "major achievement" of the Conference.

Committee III

The revision of the ICNT incorporated U.S. amendments related to the protection of the marine environment, introduced during the

seventh session in 1978. And, without challenge, the Chairman of Committee III stated that the substantive negotiations on this subject could be considered closed.

Although the U.S. Delegation revised its proposals concerning marine scientific research to take account of concerns expressed by other delegations, substantive negotiations did not occur during the Geneva meeting. One problem was that some delegations saw this issue as linked either substantively or tactically to other issues. At the resumed session, however, the U.S. proposals were given serious consideration. In his report to the plenary, the Chairman of Committee III included the texts that emerged from the negotiations and stated that they improved the prospect of achieving consensus and that several amendments could be considered generally accepted.

A new article would deal with two aspects of the regime: (1) the "in normal circumstances" exception, and (2) the regime for the continental shelf beyond 200 miles. Under the basic regime article, a coastal State must give its consent to the planned conduct of research "in normal circumstances," subject to four specific exceptions. The purpose is to allow a coastal State to refuse consent when the overall relations between the researching and coastal States are strained. The amendment makes clear that the absence of diplomatic relations does not necessarily mean that normal circumstances do not exist.

The regime for research on the shelf beyond 200 miles was a difficult issue. Broad margin States were reluctant to consider any regime that implied that the shelf beyond 200 miles was different from that within 200 miles. All marine scientific research projects on the continental shelf must comply with the duty to provide notice and undertake normal research obligations, including participation by the coastal State and data sharing. Although consent must be obtained, the largest category of research activities over which the coastal State has discretion to withhold consent has been narrowed. A research project of direct significance for exploration and exploitation of resources of the continental shelf beyond 200 miles is subject to discretionary consent of the coastal State only when undertaken in specific areas that the coastal State has publicly designated as areas in which exploration or exploratory operations, such as exploratory drilling, are occurring or about to occur.

The restriction on publication has been relaxed. The ICNT, Rev. 1 provides that the coastal State can restrict publication of all research findings. The amendment limits the coastal State's rights to restrict publication to research projects of direct significance for the exploration and exploitation of natural resources.

Under certain circumstances, the ICNT, Rev. 1 allows the coastal State to stop a marine scientific research project in progress in the economic zone or on its shelf. One amendment would ensure that

suspension and cessation can be invoked only if a project varies materially from all information available to the coastal State at the time it granted consent.

Concerning dispute settlement on marine scientific research in the economic zone and on the continental shelf, an amendment in the Yankov proposals subjects those disputes that are excepted from binding settlement to compulsory conciliation, with the exception of exercise of discretion to withhold consent for specified projects, e.g., resource-oriented research. The United States could accept this compromise only if a decision by the coastal State to terminate a project were subject to compulsory conciliation.

Dispute Settlement

A compromise text under negotiation would provide access for seabed miners to binding commercial arbitration regarding any disputes with the Authority over the interpretation and application of the seabed mining contract, with questions relating to the interpretation or application of the Convention referred to the Seabeds Disputes Chamber of the Law of the Sea Tribunal.

Drafting Committee

The Secretariat issued a concordance text of the six languages at the Geneva meeting, but this text was outdated by the revised ICNT. Harmonization of the texts remains, as does an article-by-article review of the text.

Final Clauses

Negotiations were organized in two forums: the Group of Legal Experts charged with developing draft texts after due consideration of technical and nonpolitical aspects of the issues and the Informal Plenary on Final Clauses, charged with resolving political questions. The issues considered included, *inter alia*, relations to other conventions, entry into force, signature, ratification, amendment or revision, denunciation, and participation in the Convention. Under the latter subject, the United States supported an "all States" clause, accompanied by a resolution interpreting the clause to cover entities such as the European Economic Community (EEC) and associated States enjoying the international and domestic legal capacity of States with respect to matters covered by the Convention. Other

delegations drew distinctions between the EEC and other entities and opposed inclusion of non-self-governing territories and liberation movements as parties.

Outlook

The ninth session will be held in New York February 27–April 4, 1980, and Geneva July 28–August 29, 1980. Major problem areas to be resolved include some issues related to seabed mining, maritime boundary delimitation and the associated system of dispute settlement, the oceanic ridge issue, protection of marine mammals, and negotiation of the Final Clauses. At the end of the eighth session, the Conference set for itself goals for 1980 of completing informal negotiations and producing a draft convention in New York and adopting a final treaty in Geneva. While the United States will join in the effort to meet this ambitious timetable, realism dictates the lively possibility that difficulty in resolving remaining outstanding seabeds issues may cause slippage. In any case, conditions of substance will continue to take precedence over a desire to complete a treaty. As the negotiations reach the final stages, the United States remains convinced of the benefits to be derived from a broadly acceptable comprehensive law of the sea treaty.

GENERAL POLITICAL PROBLEMS

Membership

St. Lucia became independent on February 22, 1979, and on August 28 the Prime Minister of St. Lucia submitted his country's application of UN membership to the Secretary General.

The Security Council, in accordance with rule 59 of its provisional rules of procedure, on September 12 referred the application to its Committee on the Admission of New Members (a committee of the whole). On the same day the Committee unanimously recommended that St. Lucia be admitted. On the same day, the Security Council unanimously adopted resolution 453 (1979) recommending that St. Lucia be admitted to UN membership by the General Assembly. Ambassador Petree stated that the United States was pleased to support the membership application of St. Lucia and was confident that the peaceful and responsible manner in which St. Lucia attained its independence demonstrated that the Government and people of St. Lucia share the principles that guide the United Nations: to establish world peace, justice, and prosperity.

GENERAL ASSEMBLY ACTION

On September 18, 1979, the opening day of its 34th session, the General Assembly adopted resolution 34/1, admitting St. Lucia to UN membership. Speaking after the resolution was adopted, Ambassador McHenry welcomed St. Lucia as the 152nd member of the United Nations. The United States welcomed the representative of St. Lucia to the important work of the United Nations; it also looked forward to a close association with it and to an increasingly constructive relationship between the United States and St. Lucia, as well as with other nations of the eastern Caribbean.

Question of Peacekeeping

The 33rd session of the General Assembly, by resolution 33/114, invited member states to report to the Secretary General on the experience they had already gained in peacekeeping operations and in existing national programs for peacekeeping training and to consider supplying the Secretary General with up-to-date information relating to possible standby capacities, including logistics, which would, without prejudice to the sovereign decision of the member state on each occasion, be made available to the United Nations if required. The United States, along with a number of other states, reported to the Secretary General on its practical experience in peacekeeping operations and on its possible standby capacities.

PEACEKEEPING COMMITTEE

The Special Committee on Peacekeeping Operations¹⁴ held three meetings on April 2 and 17 and on September 17. Although originally created to deal with the problems created by the refusal of some states to pay for peacekeeping operations, the Committee has over the years gradually focused instead on guidelines issues and to a far lesser extent on financial measures.

On April 17, the Special Committee authorized the Working Group to hold a series of meetings to renew its efforts to complete the agreed guidelines for conducting peacekeeping operations and to devote attention to specific questions related to the practical im-

¹⁴Known as the Committee of 33, the members in 1979 were Afghanistan, Algeria, Argentina, Australia, Austria, Canada, Denmark, Egypt, El Salvador, Ethiopia, France, German Democratic Republic, Guatemala, Hungary, India, Iraq, Italy, Japan, Mauritania, Mexico, Netherlands, Nigeria, Pakistan, Poland, Romania, Sierra Leone, Spain, Thailand, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia.

plementation of peacekeeping operations. The Working Group held a series of 11 meetings between April 23 and July 2. Lengthy discussions reaffirmed that although *de facto* guidelines exist and have worked well for a number of years, longstanding differences remain and that reaching formally agreed guidelines will continue to be a difficult task owing to the fundamental nature of the issues before the Working Group. The heart of the differences is between the U.S. position that once the Security Council has decided to field a peacekeeping operation, it is necessary to run the operation as efficiently as possible with a minimum of political interference. The Soviet Union, on the other hand, insists on Security Council and thus political control of all aspects of an operation irrespective of the effect of this control on efficiency or effectiveness.

On the practical implementation of peacekeeping operations, there were several proposals before the Working Group, including a U.S. working paper which suggested creating a UN peacekeeping reserve of standby national contingents, ways to provide training and technical equipment for peacekeeping units, and observers. It also contained suggestions on the administration, logistics, and financing of peacekeeping and set forth what the United States would be willing to consider contributing. The U.S. paper is contained in the annex of the Special Committee's report to the 34th General Assembly.

GENERAL ASSEMBLY

The Special Political Committee considered the report of the Special Committee at four meetings between November 5 and 7. On November 6 the Chairman presented for consideration a draft resolution that had been prepared following informal consultations. On November 7 the Committee approved the draft resolution by consensus. The resolution invited member states to report and to provide information on experience gained in peacekeeping operations and urged the Special Committee to expedite its work "for an early completion of agreed guidelines which will govern the conduct of peacekeeping operations of the United Nations in accordance with the Charter and to devote attention to specific questions related to the practical implementation of peacekeeping operations."

Resolution 34/53 was adopted in plenary session on November 23 by consensus.

On November 6 the U.S. Representative in the Special Political Committee, Benjamin Rosenthal, observed that peacekeeping operations were one of the most important contributions of the United Nations to maintaining peace and security. He stated that with the creation of UNEF, UNDRO, and UNIFIL, the United Nations had found a way around doctrinal controversies and had established a

firm basis for the formation and management of future peacekeeping operations. What was now needed, he said, was for member states to help the United Nations improve its peacekeeping capacity by providing it with the necessary assistance and support. The U.S. proposals submitted to the Special Committee were designed to achieve that end. He called on members to provide the Secretary General with any information on their possible standby capacities. Once a sufficiently broad spectrum of replies is received by the Secretary General, it will be appropriate for him to prepare an analysis of them. Such an analysis should draw on the extensive experience in managing peacekeeping operations which the Secretariat and field operations staff had acquired.

Strengthening the Role of the United Nations

EFFORTS TOWARD STRENGTHENING THE UNITED NATIONS

The Special Committee on the Charter of the United Nations and on the Strengthening the Role of the Organization¹⁵ held its fourth session in Geneva from February 19 to March 16, 1979. The Committee established an openended working group that met in closed meetings to discuss the topics referred to in resolution 33/94; peaceful settlement of disputes; rationalization of the existing procedures of the United Nations; and the question of the maintenance of international peace and security. The Committee began considering the maintenance of international peace and security, concluded its discussion on rationalization, and arrived at a list of proposals on peaceful settlement of disputes, identifying those proposals that had awakened special interest and on which general agreement may be possible. This list, along with the reports of the working group and the summary records of the Committee meetings, was contained in the Special Committee's report to the General Assembly. The report contained no recommendations.

During the Special Committee's discussion on the rationalization of procedures, Under Secretary General Buffum was present to hear members' views and to underscore the Secretary General's concern on this subject. Subsequently, an informal Group of Permanent Representatives met in New York to study practical ways to improve

¹⁵The 47 members of the Special Committee are: Algeria, Argentina, Barbados, Belgium, Brazil, China, Colombia, Congo, Cyprus, Czechoslovakia, Ecuador, Egypt, El Salvador, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Guyana, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Liberia, Mexico, Nepal, New Zealand, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Sierra Leone, Spain, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zambia.

the efficiency and effectiveness of the General Assembly. This group provided the Secretary General with its conclusions. In June the Secretary General issued a report that incorporated the group's suggestions and set forth suggestions and recommendations on ways to improve the functioning of the 34th General Assembly. The 34th General Assembly adopted the various recommendations of the Secretary General at four separate meetings on September 21, October 25, November 29, and December 12.

GENERAL ASSEMBLY

The Sixth Committee considered the Special Committee's report at 45 meetings held between November 1 and 29, 1979; more than 70 delegates spoke in the general debate. On November 6 the U.S. Representative, Robert Rosenstock, reviewed U.S. proposals on the peaceful settlement of disputes, rationalization, and the maintenance of international peace and security. He noted that some of the U.S. proposals on peaceful settlement of disputes did not seem likely to be the subject of general agreement, but the United States welcomed the fact that all its proposals had been seriously considered on their merits. The United States would respect the judgment of the Special Committee regarding the proposals, since it could envisage no other form of responsible participation in the Special Committee's work.

He noted the efforts of the Secretary General on the rationalization of procedures and said that the recent adoption of his recommendations would contribute greatly to the efficient organization of the current and subsequent sessions. A review by the Special Committee of the progress made would be a useful topic for its next session.

He stated that if the Special Committee continued to work as seriously as it had for the preceding two sessions, it should be able to prepare a meaningful list of suggestions, and ultimately proposals on all the areas of concern, and would then be in a position to look at the entire picture and develop possible recommendations that would serve the interests of the United Nations as a whole. The United States would continue to cooperate with the Special Committee and make constructive suggestions and proposals with a view to the developing positive recommendations. The participation of the United States in the Special Committee was based on the assumption that the latter would proceed in a careful, responsible manner according to its mandate and in a constructive search for agreement. If others regarded the Special Committee as important and a suitable forum for the pursuit of their ideals, the United States was prepared to continue to do so, but if some participants in the Special Committee were going to ignore it in favor of parallel or inconsistent initiatives elsewhere, some doubt must arise about the utility of the

Special Committee's work and the Sixth Committee's consideration of it.

The Committee had two draft resolutions before it, one sponsored by Libya on limiting the use of the veto; the other, sponsored by 38 members, was to have the Special Committee continue its work. On November 23, the Philippines, on behalf of the 38 cosponsors, introduced a revised draft which, *inter alia*, decided that the Special Committee should continue its work and requested it "to be mindful of the importance of reaching general agreement whenever it has significance for the outcome of its work." At the same meeting Libya introduced a revised version of its draft, which would have the Special Committee review the unanimity rule in the Security Council and would request the Secretary General to prepare a study on the right of veto.

On November 28 the U.S. Representative stated that to adopt the Libyan draft first would be meaningless. That draft would give instructions to a committee that did not exist, since its mandate had not yet been renewed. The United States suggested that priority be given to the 38-nation draft.

The Committee decided by a vote of 64 (U.S.) to 29, with 23 abstentions, to give the 38-nation draft priority. The Committee then approved that draft by 98 (U.S.) to 0, with 23 abstentions. Following the adoption of the resolution, the Committee recommended that the General Assembly accept the invitation of the Philippines to host the 1980 session of the Special Committee. Mr. Rosenstock then moved, pursuant to rule 131 of the rules of procedure, that the Libyan text not be put to a vote, since it sought to alter the mandate of the Special Committee. The Committee rejected the U.S. motion by a vote of 42 to 35 (U.S.), with 38 abstentions.

The next day, November 29, the Committee approved the Libyan proposal by a vote of 43 to 34 (U.S.), with 44 abstentions. Prior to the vote, the U.S. Representative stated that the 38-nation text required the Special Committee to consider proposals on maintaining international peace and security, which included proposals that dealt with the unanimity rule in the Security Council. The United States would not object to the discussion of those proposals in the Special Committee and would not support any objection to such a discussion. The problem was not whether it was a good idea to discuss the unanimity rule but that the Libyan draft attempted to prejudice the Special Committee's examination of the question by specifying what it should consider.

On December 17, 1979, the General Assembly, in plenary session, adopted the 38-nation text by a recorded vote of 116 (U.S.) to 0, with 23 abstentions. (Resolution 34/147.) The Assembly also adopted the Sixth Committee's recommendation that the Philippines' offer to

host the 1980 session of the Special Committee be accepted. A Finnish motion not to put the Libyan text to a vote was adopted by a vote of 55 (U.S.) to 43, with 36 abstentions.

Strengthening International Security

In 1969 the Soviet Union proposed an agenda item for the General Assembly on the "Strengthening of international security." The Assembly adopted a declaration on this topic in 1970 that touched on the full range of UN activity, including peaceful settlement of disputes, strengthening peacekeeping procedures, disarmament, colonialism, racial discrimination, self-determination, and closing the economic gap between developed and developing countries. Resolutions calling for implementing the declaration have been considered annually by the General Assembly since 1971. Although the United States voted in favor of the initial declaration, it has abstained or voted against subsequent resolutions under this item on the grounds that they contribute little to easing international tensions or strengthening security and merely restate the purposes and principles of the UN Charter in the form of General Assembly resolutions. Moreover, some resolutions contain elements unacceptable to the United States.

As in previous years, the item on strengthening international security was referred to the First Committee of the 34th General Assembly where it was considered, as the final item of business, at five meetings between December 4 and 7. The Committee approved three draft resolutions on this question.

On December 4 Romania introduced a draft resolution, which, as revised, was ultimately sponsored by 20 states. The draft, entitled "Development and strengthening of the principle of good neighborliness between states," (1) called upon all states to promote the principle of good neighborliness in their relations with other states; (2) affirmed that good neighborliness is founded upon strict observance of the principles contained in the UN Charter and the Declaration on Principle of International Law Concerning Friendly Relations and Cooperation among States in accordance with the UN Charter,¹⁶ as well as the rejection of any acts seeking to establish zones of influence and domination; (3) expressed the belief that it is necessary to examine the principle of good neighborliness in order to strengthen and further develop its content; and (4) invited governments to communicate their views on the matter to the Secretary General and for UN bodies to inform the Secretary General of their

¹⁶General Assembly resolution 2625 (XXV).

activities relevant to the development of relations of good neighborliness between states.

The First Committee approved the draft resolution on December 7 without a vote. The resolution was adopted by the General Assembly in plenary session on December 14, also without a vote. (Resolution 34/99.)

An omnibus draft resolution dealing with various aspects of the strengthening of international security declaration was introduced by Cyprus on December 4. Ultimately sponsored by 25 non-aligned states, the resolution, among its most important provisions, (1) called upon states to contribute to the implementation and further elaboration of the Declaration; (2) urged that all members of the Security Council, especially its permanent members, consider and undertake, as a matter of urgency, necessary measures for ensuring respect for provisions of the UN Charter in the implementation of decisions of the Security Council on the maintenance of international peace and security; (3) called upon states to adhere to the purposes and principles of the Charter, reaffirming its opposition to any threat or use of force, intervention and interference, aggression, foreign occupation or measures of political and economic coercion with attempts to violate the sovereignty, territorial integrity, independence, and security of states or their right freely to dispose of their natural resources; (4) called upon states to refrain from any act which may hinder the continuation of the process of relaxation of international tension, hamper implementation of effective measures for halting the arms race (particularly the nuclear arms race), and postpone implementation of the new international economic order; (5) reaffirmed the legitimacy of the struggle of peoples under colonial and alien domination to achieve self-determination; and (6) commended the convening of the Conference on Security and Cooperation in Europe, to be held in Madrid in 1980.

On December 7 the draft resolution was approved by the First Committee by a nonrecorded vote of 94 to 2 (U.S.), with 24 abstentions. The resolution was adopted in plenary session of the General Assembly on December 14 by a recorded vote of 104 to 2 (U.S.), with 24 abstentions. (Resolution 34/100.)

In explaining the U.S. position before the vote in the First Committee, Congressman Winn recalled that in the previous year the United States had objected to language in a similar resolution that had departed in a number of aspects from that of the UN Charter. He stated that although some points had been changed, others remained and were unacceptable to the United States.

On November 5 Guyana introduced two resolutions, one of which called for establishing, at the 35th General Assembly, an *ad hoc* working group of the First Committee to elaborate a draft declara-

tion on "the inadmissability of intervention and interference in internal affairs of states." The other was a suggested draft declaration submitted by the sponsors of the resolution as the basis for the Committee's work the next year. In introducing the text of the draft declaration, Guyana pointed out that following consultations, it had emerged as beyond doubt that it would be "extremely difficult" to arrive at a consensus on the declaration during the 34th session, and that the sponsors had agreed that the Committee would not be asked to take action on the draft resolution containing the text of the declaration during their current session.

The draft resolution, which would have the General Assembly set up an *ad hoc* working group at the beginning of its 35th session in order to elaborate a declaration on the inadmissability of intervention and interference in internal affairs of states, was approved by the First Committee on December 7 by a nonrecorded vote of 94 to 11 (U.S.), with 15 abstentions. It was adopted by the General Assembly on December 14 by a recorded vote of 106 to 11 (U.S.), with 14 abstentions. (Resolution 34/101.)

In explaining the U.S. vote, Congressman Winn observed that the resolution perpetuated an exercise with unsound premises and that the United States did not believe that adopting a declaration on noninterference would accomplish the ends of its sponsors; but, rather, the practical effect might be to undermine the principles of the UN Charter. Having pointed to parts of the draft declaration to which the United States took exception, he concluded that in setting impossible standards for international behavior, the declaration would not further the goals of the United Nations but might only create conditions for additional disputes between states.

Question of Increase in Security Council Membership

On November 14 1979, 10 member states (Algeria, Argentina, Bangladesh, Bhutan, Guyana, India, Maldives, Nepal, Nigeria, and Sri Lanka) requested the inclusion in the agenda of the 34th General Assembly of an additional item entitled "Question of equitable representation on and increase in the membership of the Security Council."

In the explanatory memorandum, the sponsors noted that the increased UN membership, since the Council's earlier enlargement, had not been reflected in the Council's membership. In order to strengthen the primary role of the Council in maintaining international peace and security, the composition of the Council should be reviewed with a view to providing a more equitable and balanced representation reflecting the increase in the UN membership.

Accordingly, they were of the opinion that the General Assembly should take measures to amend the Charter in this respect.

During the General Committee's consideration of this request on November 27, the United States submitted an amendment which would have inscribed the new item as part of the item on the Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. In proposing the amendment, the U.S. Representative, Ambassador Richard W. Petree, stated that the views of the United States could become more negative if the goals pursued in the request were pursued in a manner inconsistent with a rational approach to the work of the Assembly. The United States regretted that such a complex matter was being introduced in the closing weeks of an already heavily burdened session and that the request had not been submitted in conformity with the criteria (i.e., items of an important and urgent character) of rule 15 of the rules of procedure. When there is an existing item under which a new matter can be discussed, it should be considered in the context of that item. Any other approach can substantially undo the recent accomplishments on the rationalization of the General Assembly's procedures.

India said that the U.S. amendment would in effect "bury" its proposal in the Charter Review Committee. Ambassador Petree replied that the United States was not opposed to a debate on the question but rather was focusing attention on the rationalization of the General Assembly's work, the suitability of the Special Committee for Charter Review for dealing with such an item, and on the desirability of dealing with it through the machinery established by the United Nations.

The U.S. amendment was rejected by a vote of 7 (U.S.) to 13, with 3 abstentions. The General Committee then decided, by a vote of 19 to 5 (U.S.), with 2 abstentions, to recommend including the item, and, without a vote, recommended its allocation to plenary. On November 28 the General Assembly approved the recommendation of the General Committee. A vote of 83 to 14 (U.S.), with 9 abstentions ensured the inscription of the item in the agenda. Forty-six states did not participate in the vote. Ambassador Petree, in explaining "the extraordinary step of voting against" the inscription of an item, reiterated the U.S. concerns expressed in the General Committee.

The General Assembly considered the item at two plenary meetings on December 14. India submitted a draft resolution that would amend Charter article 23 to enlarge the Security Council to 19. Ecuador proposed an amendment to the Indian proposal; under the Ecuadorian proposal the Council would be enlarged to 21. The Soviets and the Eastern Europeans were adamantly opposed to amending the Charter. A number of Western delegates criticized the

manner in which a complex and important issue had been raised so late in the session. Ambassador Petree said that to raise this matter in such a fashion was "to court disunity in the organization of a nature which can only weaken the fundamental basis of the institution." He called for more extensive consideration of the impact of such a change on the Council's efficiency and on the Council's ability to obtain widespread support for its decisions. He noted that the changes in membership since 1965 did not affect the fact that "no decision can be taken in the Security Council without the support of the states members from Asia, Africa, and Latin America as well as Western Europe and Eastern Europe. If there are changes in the dynamics of the organization in the last 14 years, they related not to article 23 but to article 18. There has been no change to ensure that the requirement of a two-thirds majority in the General Assembly would continue to have the intended effect of providing the recommendations and decisions of the General Assembly in certain key areas with a sufficiently broad base to maximize the likelihood of their effectiveness."

At the request of Spain (for the Western European and Others Group) and Zaire (for the African Group), India, on behalf of the cosponsors, agreed not to press its proposal to a vote. The Assembly decided without objection that the item would be considered at the 35th General Assembly, where the issues could be adequately reviewed, including the two options for the number of additional seats.

Questions Relating to Information

The General Assembly, when considering the proposed 1976-77 program budget at its 30th session in 1975, requested the Secretary General to make new efforts in the area of public information; to work closely in that effort with national information media, UN associations and other nongovernmental organizations; and to submit to the 33rd General Assembly a report on the activities of the UN Office (later Department) of Public Information.

The 33rd General Assembly took note of the Secretary General's report and requested him to ensure close collaboration of member states, the specialized agencies, nongovernmental organizations, and other information bodies in framing public information policies and programs of the UN system. The General Assembly also decided to establish a Committee to Review UN Public Information Policies, and have a report made to the 34th General Assembly on the policies and activities of the public information services within the agencies of the UN system, giving particular attention to activities in the economic and social spheres.

The Committee to Review Public Information Policies and Activities¹⁷ held an organizational session on April 19, 1979, and substantive sessions from May 29 to June 1, on July 6, and on September 17 and September 20. At the July 6 meeting, it was decided to form an *Ad Hoc* Working Group of 20 members¹⁸. The *Ad Hoc* Working Group was charged with analyzing and evaluating the policies and activities of the Department of Public Information and other relevant information units of the Secretariat, and formulating proposals "to improve the public information activities and programs of the UN system, with particular regard to the economic and social sphere, as well as to identify methods that could lead to a better coordination of the public information policies and activities of the system. . . ." The Working Group met from July 30 to August 14 and adopted a report by consensus which it submitted to the parent committee.

The Committee of 41 considered the Working Group's report at its meetings on September 17 and 20. The committee decided to note with satisfaction the Working Group's report and attach it to the report of the Committee to Review United Nations Public Information Policies and Activities. The Committee also recommended to the General Assembly that the mandate of the Committee be renewed, and in this connection, some delegations mentioned that the Committee should also be enlarged.

GENERAL ASSEMBLY CONSIDERATION

The Special Political Committee considered the Information item during 13 meetings, between November 9 and December 4, 8 of which were spent in general debate. At the same time, intense negotiations took place in an informal working group aimed at producing a consensus resolution on future UN activities in the information area. Frequent negotiating sessions were conducted on the basis of working papers sponsored by the Group of 77, and a Western Group (including the United States). At the same time, conversations took place on a separate draft resolution sponsored by Indonesia, Malaysia, Pakistan, the Philippines, Singapore, Thailand, and subsequently, Papua New

¹⁷The 41 members were Argentina, Benin, Chile, Colombia, Congo, Cyprus, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, German Democratic Republic, Federal Republic of Germany, Guatemala, Guinea, India, Italy, Ivory Coast, Japan, Jordan, Lebanon, Niger, Nigeria, Peru, Philippines, Romania, Somalia, Spain, Sri Lanka, Syria, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Yemen, and Yugoslavia.

¹⁸Members of the Working Group of 20 were Argentina, Benin, Colombia, Cyprus, Ecuador, Egypt, Finland, German Democratic Republic, Guatemala, India, Japan, Lebanon, Nigeria, Romania, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, and Yugoslavia.

Guinea, concerning a proposed international fund for the development of communications. Introduced into the Special Political Committee by Malaysia on November 14, the draft resolution, *inter alia*, requested the Director General of the United Nations Educational, Scientific and Cultural Organization, in the light of recommendation 51 of the Kuala Lumpur Conference . . . and of the recommendations of the Intergovernmental Planning Conference on Communication Development to be convened by the United Nations Educational, Scientific and Cultural Organization in April 1980, to study, among other alternatives, the possibility of establishment of an international fund for the development of communications under the auspices of that organization.

On November 30, on behalf of the Group of 77, India introduced a draft resolution entitled "Questions Relating to Information." The resolution (1) decided to maintain the Committee to Review United Nations Public Information Policies and Activities, which will henceforth be known as the UN Committee on Information and whose membership will be increased from 41 to 66 and (2) requested the Committee on Information (a) to continue to examine United Nations public information policies and activities, in the light of the evolution of international relations, particularly during the past two decades; (b) to evaluate and follow up the efforts made and the progress achieved by the UN system in the field of information and communications; and (c) to promote the establishment of a new, more just and more effective world information and communication order intended to strengthen peace and international understanding and based on the free circulation and wider and better balanced dissemination of information and to make recommendations thereon to the General Assembly.

Moreover, the Committee on Information was requested to report to the 35th General Assembly as was the Secretary General, who was specifically enjoined to report on the implementation of all the provisions of the resolution.

Speaking during the general debate on November 13 in the Special Political Committee, the U.S. Representative, Congressman Benjamin Rosenthal, praised the work of the *Ad Hoc* Working Group, noting that more detailed examination of all aspects of UN public information policies and activities is urgently needed. He stated that the United States believes it both useful and realistic to take long-term communication development efforts one step at a time. Moreover, the United States believes that all the institutions within the United Nations system and other international bodies with an interest in the rapidly changing communications and information field should be involved with the developed and the developing countries in solving existing problems.

At its December 4 meeting, the Special Political Committee approved both draft resolutions by consensus.

The U.S. Representative, Alfred P. Brainard, speaking in the Special Political Committee on December 4 in explanation of vote, underscored the importance the United States attaches to the spirit of cooperation which had been manifested during the negotiations leading to adoption of the resolution introduced by India. He noted that the resolution makes clear that a new world information and communication order must be based on the free circulation and wider and better balanced dissemination of information. The free circulation of ideas and the freedom to produce, disseminate, and receive information are of fundamental importance and belong by right to all humankind.

Mr. Brainard stated that the United States expected UN bodies active in the information area, publications, and media to give an objective picture in discussion of economic and communication developments and that the UN media products will promote understanding and cooperation between the developing and the industrialized countries.

On December 3, the General Assembly adopted resolutions 34/181 and 34/182 without a vote.

Question of the Malagasy Islands

On November 27, Madagascar introduced a draft resolution, subsequently sponsored by 23 countries, which *inter alia*, invited the Government of France to initiate negotiations with the Government of Madagascar for reintegration of the Islands of Glorieuses, Juan de Nova, Europa, and Bassas da India, which had been arbitrarily separated from Madagascar; called upon the Government of France to repeal the measures which infringed the sovereignty and territorial integrity of Madagascar; and requested the Secretary General to follow the implementation of the resolution and to report thereon to the 35th General Assembly.

The draft resolution was approved in the Special Political Committee on November 30 by a rollcall vote of 74 to 6 (U.S.), with 34 abstentions. On December 12, the Assembly adopted resolution 34/91 by a vote of 93 to 7 (U.S.), with 36 abstentions. The United States made no statement concerning its negative vote either in the Special Political Committee or in the Assembly.

Part 2

Economic, Social, Scientific, and Human Rights Affairs

Under the UN Charter (Chapter III), the principal organs of the United Nations that deal with the issues covered in Part 2 are the General Assembly and the Economic and Social Council (ECOSOC). However, due to the limited membership (54 countries) of ECOSOC, developing countries have preferred to ensure the maximum use of their voting strength by having the General Assembly and its subsidiary bodies handle all issues related to development. This has led to the creation of organizations such as the UN Conference on Trade and Development (UNCTAD) and the General Assembly's Committee of the Whole, whose activities are described in this part.

In addition to its plenary body, ECOSOC consists of five regional economic commissions, seven functional commissions, and a varying number of subcommissions, working groups, and expert groups. The activities of all the regional commissions and of a number of the other bodies are covered in this part.

In general, all elements of the UN system primarily concerned with the issues covered in this section report to the General Assembly through ECOSOC. ECOSOC has the authority to require changes in reports from its own subsidiary bodies. It may only comment on reports from other bodies (such as UNCTAD and specialized agencies) before passing them to the General Assembly.

In session, the General Assembly is organized into committees, of which the Second Committee is devoted to economic and financial affairs, and the Third Committee to social, humanitarian, and cultural issues. Some matters falling into such categories come directly to these committees, but the bulk of their work consists of issues which have reached them through the Economic and Social Council.

ECONOMIC ACTIVITIES

11th Special Session on Economic Development

The two main focuses of the 11th special session of the General Assembly, scheduled for August 25–September 5, 1980, will be the “launching” of global economic negotiations, to begin in 1981, and adoption of a new International Development Strategy (IDS) for the 1980’s.

The 34th General Assembly endorsed the proposal of the developing countries to prepare a new round of global negotiations for “launching” at the special session. Agreement must be reached there on an agenda that will take into account major problems and interests of all members—including developed countries and OPEC countries, as well as the oil-importing developing countries. The most sensitive issues relate to energy and its balance-of-payments implications and to monetary questions. The United States has proposed an early action program to deal with containment of protectionist pressures on trade, development of energy in energy-deficient countries, improved world food security, and recycling of payments surpluses. The special session must also decide on procedures: What existing international forums—or new ones—will actually negotiate the issues and the extent to which progress achieved on various issues is to be linked in a final agreement. Preparatory meetings of the Committee of the Whole are to formulate proposals for the agenda and procedures for approval at the special sessions.

Adoption of a new IDS has been envisaged as a major business of the special session since the latter was agreed upon at the 32nd General Assembly. (Resolution 32/174.) Negotiations on a new IDS, in preparatory committee, are seeking agreement on economic growth and social development targets for the developing countries in the 1980’s and the commitments of both developing and developed countries in terms of international official and private resource transfers and domestic efforts to attain these targets.

The 11th special session will also assess progress made toward establishing the new international economic order (NIEO); resolution 32/207 requests the Secretary General to present his report on this subject to the special session.

International Development Strategy

Preparations for the new IDS for the 1980’s began in earnest during 1979, with the United States participating in three sessions of the preparatory committee. No agreements were reached during the

year. The main issue that has divided the developing and developed countries is the extent to which a strategy should focus on basic development issues such as hunger, health care, and population as opposed to accelerated economic growth of developing countries and structural change in international economic relations, which would lead to a transfer of power and resources to the developing countries by implementing the NIEO.

There will be three more preparatory sessions of the IDS preparatory committee to agree on a preamble, goals and objectives, and the necessary policy measures for effectively implementing the new IDS in 1980 in time for their adoption at the 11th special session on economic development in August 1980.

Global Negotiations

On December 14 the General Assembly, without reference to a main committee, passed two resolutions on global negotiations based on proposals by the Group of 77. The concept had emerged from meetings of the nonaligned in Colombo and Havana the preceding summer. Pursuit of this idea by developing countries was in large measure a reflection of their frustration over the results of UNCTAD V.

Much of the language in resolution 34/138 on global negotiations was contained in a resolution at the Havana Nonaligned Summit. The stipulation that negotiations on each of the subjects specified in the resolution—raw materials, energy, trade, development, money and finance—should be conducted simultaneously, was a compromise among oil-importing developing countries, which wanted to specify energy as a subject for international negotiation, and by the OPEC countries, which insisted that energy be discussed only in the context of simultaneous discussions on other economic issues.

The developing countries sought to have their global negotiation resolution endorsed in the meeting of the Committee of the Whole, which immediately preceded the 34th session of the General Assembly. After debate, the Committee of the Whole agreed that the global negotiations proposal was an important initiative and recommended that it be considered by the 34th General Assembly as a matter of priority.

On September 14, Secretary of State Vance explained the American position toward the global negotiations proposal: "Let me state today that the United States would participate, in the Committee of the Whole, in consultations to decide the most effective way of conducting such negotiations." He went on to emphasize that par-

ticipants in the preparations for global negotiations should be realistic about each other's political and economic capabilities. They should choose issues on which constructive results and agreement are possible and avoid duplicating work already being done elsewhere.

On October 22, Ambassador McHenry stated the global negotiations should go beyond dialogue to real negotiations. To this end, it would be extremely important to avoid recrimination and to find issues on which consensus agreement could be achieved.

The ensuing negotiations on global negotiations were conducted in the plenary Assembly. The United States insisted on the points raised by the Secretary, and on making clear that the final decision to launch global negotiations would be made only at the 11th special session of the General Assembly in 1980. Two resolutions on global negotiations were eventually adopted by consensus on December 14. The first, resolution 34/138, specified that the global negotiations should have universal participation; occur within a specified time frame; consider the issues of raw materials, energy, trade, development, and money and finance; contribute to the International Development Strategy for the third UN Development Decade; and should not interrupt or have any adverse effect upon negotiations in other UN forums. Preparations for the global negotiations would take place in the Committee of the Whole. The resolution states that the General Assembly "decides to launch (the global negotiations) at its special session 1980" but also provides that successful launching of the global negotiations "requires the full commitment of UN participants to careful and thorough preparations" and that the Committee of the Whole must propose all "necessary arrangements . . . to enable (the special session) to decide on an effective and prompt beginning of the global negotiations."

Resolution 34/139 provided that the Committee of the Whole would in its final report to the special session take into account proposals made by heads of state or government in the General Assembly. One such proposal is that of a world energy plan made by President Lopez Portillo of Mexico in his speech before the General Assembly on September 27.

In his statement on December 14, following the adoption of the resolution on global negotiations, Ambassador vanden Heuvel noted that in the view of the United States, certain subjects could be negotiated only in their appropriate forums (such as monetary issues by the International Monetary Fund). He emphasized the importance of ensuring that there be no duplication of negotiations and stressed the need for the same cooperation and mutual understanding in the global negotiations which had made it possible to achieve a consensus resolution.

Economic Commission for Europe

The Economic Commission for Europe (ECE) was established in 1947 and is one of five regional economic commissions that reports to ECOSOC. It has 34 members—the European members of the United Nations plus the United States, Switzerland, and Canada. Other countries that are UN members (e.g., Japan, Israel) also participate in its work when matters of particular concern to them are considered. As an organization composed largely of developed industrial nations, ECE concentrates on seeking solutions to common problems that confront modern industrial societies. The organization normally acts through consensus arrived at by the Eastern and Western caucuses.

ECE carries out its activities through 15 principal committees (Agricultural Problems; Chemical Industry; Coal; Electric Power; Gas; Housing, Building, and Planning; Inland Transport; Steel; Timber; Development of Trade; Water Problems; Conference of European Statisticians; Senior Economic Advisers; Senior Advisers on Environmental Problems; Senior Advisers on Science and Technology) and many subsidiary bodies that deal with specialized aspects of the programs of the principal committees. Still other parts of the Commission's work program are dealt with by special *ad hoc* groups working on matters such as energy, automation, and standardization.

ECE also convenes symposia, seminars, and conferences on topics of special interest to member governments and publishes the results for governments and private specialists to use. In connection with such meetings, study tours are occasionally arranged to member countries.

The ECE Secretariat is headed by an Executive Secretary, Janez Stanovnik (Yugoslavia) and includes a number of outstanding experts who prepare and service the meetings of the Commission and its subsidiary bodies. The Secretariat also prepares many surveys, studies, and statistical compilations which are distributed to governments for their use.

ECE's terms of reference are broad and have been adapted to the changing character of its work. Its principal task when it was established was to facilitate the postwar economic reconstruction of Europe. Over the years ECE has evolved into a forum where East and West can consult and negotiate on common economic problems.

ECE's activities have taken on particular importance as a result of the Conference on Security and Cooperation in Europe (CSCE). The CSCE Final Act identified ECE as one of the major forums through which the participating states would continue the multilateral process initiated by the CSCE.

The Commission's 34th plenary session was held March 27 to April

27, 1979. Of special importance were decisions to convene a high-level meeting on the environment and to establish a new *ad hoc* committee, the Senior Advisers to ECE Governments on Energy. The high-level meeting took place November 13-16, and the United States was a signatory to a transboundary air pollution agreement and joined in a declaration of principles regarding low- and non-waste technology. The first meeting of the Senior Advisers on Energy took place October 29-31. The primary interest of the United States in this committee will be its ability to gather meaningful energy information from member countries, particularly the Soviet Union.

Economic and Social Commission for Asia and the Pacific

Established in 1947, the Economic and Social Commission for Asia and the Pacific (ESCAP) has 35 full members and 10 associate members. Five of the full members (France, Netherlands, U.S.S.R., United Kingdom, and the United States) are from outside the region, which covers the huge area from Mongolia south to New Zealand and from Iran east to the South Pacific island nations. ESCAP has its headquarters in Bangkok, although some subsidiary bodies and other activities are in other Asian cities.

The Commission's 35th plenary session was held in Manila, Philippines, March 5-16, 1979. The session was generally uneventful, but the prevailing attitude among the delegations was one of willingness to reach a suitable compromise on various issues. There was less talk of UNDP shortfalls (prevalent in some previous Commission sessions) and more emphasis on regional self-help and technical cooperation among developing countries. A growing tendency to accentuate the role of the Pacific area was reconfirmed. Disappointment was frequently expressed that little or no progress had been made in the North-South dialogue, but these statements were generally restrained and low key.

The session adopted 11 resolutions covering a variety of areas including, *inter alia*, regional training and research institutions, restructuring of ECOSOC, economic and technical cooperation among developing countries, human settlements, and regional input into the preparatory work on a new International Development Strategy.

Much of the more detailed consideration of ESCAP's work is done in the various legislative committees and in the Advisory Committee of Permanent Representatives and other Representatives designated by members of the Commission (on which the United States is

represented by a Deputy Permanent Representative). During 1979 the United States participated in meetings of the Committees on Natural Resources; Agricultural Development; Shipping, Transportation and Communication; and Trade. It also took part in meetings of several nonlegislative bodies and regional projects, as well as the regional preparatory meeting for UNIDO III.

Economic Commission for Latin America

The Economic Commission for Latin America (ECLA) was established in 1948 as a regional center to promote the economic development of Latin America and to strengthen economic relations among the Latin American countries and between this region and the rest of the world. To this end, ECLA produces studies of various sectors of the Latin American economy, analyzes economic and social conditions in the regions, reviews the progress of development plans and programs, and provides training and technical assistance. ECLA has 29 Western Hemisphere members (including the United States and Canada), 4 nonregional members (France, United Kingdom, the Netherlands, and Spain, which was admitted in 1979), and 2 associated members (Belize and the West Indies Associated States). ECLA has its headquarters in Santiago, Chile and has small branch offices in Washington and in six Latin American cities.

ECLA's 18th biennial session was held from April 18-26 in La Paz, Bolivia. The U.S. delegation was headed by John A. Bushnell, Deputy Assistant Secretary of State for Inter-American Affairs. Speaking in the opening days of the session, he noted that social disparities and poverty characterized the lives of many people in Latin America. In order to combat these problems, it would be necessary to maintain an open international economy, increase productivity in food and agriculture, control population growth, increase investment in human capital and labor-intensive technologies, and conserve resources. He noted that concessional assistance, both bilateral and multilateral, must be allocated increasingly to activities which have a clear and direct impact on alleviating poverty. He concluded by stating that the United States and the developing countries have common objectives, such as sustained, equitable, and employment-generating growth in Latin America, reduction of absolute and relative poverty, greater international economic stability, and more rational use of the world's resources.

At this meeting the Commission passed a number of resolutions to guide ECLA's work in the coming biennium. The United States reserved on several resolutions, particularly those on the implementation of the International Development Strategy and Protectionism,

which were unbalanced in their criticism of developed countries.

The Commission held several other meetings of importance to the United States during 1979. A Committee of the Whole meeting was held in September to discuss measures to assist in the reconstruction of Nicaragua. The United States also participated in regional preparatory meetings for the UN Conference on the Status of Women, the Third General Conference of UNIDO, and a regional meeting on human settlement sponsored by ECLA. These meetings contributed to the development of regional approaches to current problems.

Economic Commission for Africa

The Economic Commission for Africa (ECA) was established by ECOSOC in 1958. Full membership is limited to independent African countries; the United Kingdom, France, and Spain are associate members. The United States, while not a member, supports the Commission's activities by maintaining liaison with ECA headquarters in Addis Ababa, attending a number of its meetings as an observer, and providing technical and economic assistance.

ECA is charged with (1) promoting the economic and social development of Africa; (2) strengthening economic relations among African countries and territories; (3) undertaking studies of economic development; (4) collecting, evaluating, and disseminating economic and technical information; and (5) helping to formulate policies to promote economic development. The Commission also provides advisory services to its members in various economic and social fields.

In 1979, ECA undertook to increase its influence in African regional affairs. As the coordinator of the United Nations Decade for Transport and Communications in Africa, the Secretariat has been working on a program of action for the "Decade." A pledging conference was held in November 1979, which set forth the financing requirements. A followup pledging conference is scheduled for April 1980.

The United States continued to provide bilateral assistance to the ECA in 1979 by providing support for (1) an internship for an ECA staff member in remote sensing and short term consultants for the African Remote Sensing Program; (2) the programs of the African Training and Research Center for Women; (3) training programs for the staffs of both ECA and African economic cooperation organizations; (4) advisors for small-scale and rural industry, manpower planning, agricultural marketing, nonconventional sources of energy and small-scale industries; (5) assistance in preparing the "Survey of Economic and Social Conditions in Africa 1979-80."

Economic Commission for Western Asia

The Economic Commission for Western Asia (ECWA) came into existence on January 1, 1974. The August 1973 ECOSOC resolution that approved its establishment provided that "the Commission shall consist of the states members of the United Nations situated in Western Asia which at present call on services of the UN Economic and Social Office in Beirut." That wording limited the original membership to 12 Arab States (Egypt and the PLO were admitted in 1977)¹ and effectively excluded Israel, even though it is a UN member of the region involved, because it had not used the UN office in Beirut. The United States objected at that time, considering that the language was contrary to the terms of the UN Charter. The United States likewise objected in 1977 when ECWA recommended, and ECOSOC subsequently approved, a change in the terms of reference to grant full membership to the PLO. In both cases, the United States was defeated.

The sixth session of ECWA was held in Baghdad, Iraq, April 28–May 2, 1979. The United States sent an observer to the session, in which activities since the fifth session and future plans were discussed. Resolutions adopted by the Commission called for, *inter alia*, (1) implementation of General Assembly resolution 32/197 on restructuring the economic and social sectors of the UN system, particularly as it relates to regional commissions; (2) the move to the permanent headquarters in Baghdad on the expiry of the 5-year transitional period in Beirut, effective September 9, 1979;² (3) cooperation among developing countries; (4) regional cooperation in the field of transport; and (5) the 3rd UN Development Decade.

United Nations Development Program

The United Nations Development Program (UNDP) is a voluntary fund that finances the world's largest multilateral program of grant technical assistance. Established in 1966 by the merger of two earlier programs, the UN Special Fund and the Expanded Program of Technical Assistance, the UNDP is the main source of funding for technical assistance activities in the UN system. In recent years it has financed about half of all technical assistance activities carried out by the various UN agencies. The UNDP responds to requests from developing countries for technical assistance, with increasing

¹The members in 1979 were: Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, United Arab Emirates, Yemen (Aden), and Yemen (Sana), and the PLO.

²Decision 1979/49 of ECOSOC, July 27, 1979.

emphasis on assisting the poorest countries. In 1979 UNDP projects were underway in some 152 countries and territories. In the current programming period (1977-81), over half of all assistance will be provided to countries with a per capita GNP below \$200 annually (1975 dollars).

Projects of a few months to several years in duration, in fields such as agriculture, industry, education, health, economic policy and planning, transportation, and natural resource exploration, comprise the major part of the UNDP program. Preinvestment investigations and feasibility studies leading to soundly based capital projects are another major area of activity. In addition, the UNDP undertakes smaller projects designed either to train nationals by means of fellowships or to provide countries with required expertise through expert advisers. Both types of projects are normally executed for the UNDP by one of the other participating agencies of the UN system, such as FAO, UNESCO, WHO, or UNIDO. The UNDP also directly undertakes a limited number of regional, interregional, and global projects to help create vital research institutions and seeks resolution of development problems commonly affecting a number of countries.

The UNDP has its headquarters in New York. Its Administrator, Bradford Morse of the United States, took office in January 1976. His renomination by the Secretary General for a second 4-year term was confirmed by the UN General Assembly at its 34th session in November 1979.

GOVERNING AND ADVISORY BODIES

The UNDP is a subsidiary organ of the UN General Assembly, which sets overall UNDP policy. It is administered under the authority of ECOSOC and the General Assembly. The UNDP's operating policies are established and its programs and budgets approved by a Governing Council composed of representatives of 48 states—21 developed and 27 developing.³ States are elected by ECOSOC for 3-year terms and are eligible for reelection; the United States has been a member of the Governing Council since the UNDP's establishment. The Governing Council, which normally meets once a year—in June—reports annually to the General Assembly through ECOSOC.

As provided in various decisions of the General Assembly, the Governing Council also serves as governing body for the UN Fund

³Members in 1979 were: Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Burundi, Canada, China, Colombia, Congo, Cuba, Czechoslovakia, Ecuador, Egypt, Fiji, Finland, France, Gambia, Federal Republic of Germany, Greece, Guinea, Indonesia, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Madagascar, Mexico, Netherlands, Norway, Pakistan, Poland, Romania, Senegal, Sierra Leone, Spain, Swaziland, Sweden, Switzerland, Thailand, Trinidad and Tobago, U.S.S.R., United Kingdom, United States, and Yemen (Aden).

for Population Activities, the UN Capital Development Fund, the UN Volunteers, the UN Trust Fund for Sudano-Sahelian Activities, the UN Revolving Fund for Natural Resources Exploration, the UN Trust Fund for Colonial Countries and Peoples, and the UN Special Fund for Landlocked Developing Countries. The Governing Council also provides general policy guidance for the small program of technical assistance financed from the regular UN budget.

SECRETARIAT AND FIELD ORGANIZATION

The UNDP's administrative apparatus consists of a Secretariat in New York, headed by the Administrator, and 111 field offices in developing countries where programs are being carried out.

UNDP resident representatives advise their host governments on development planning and UN assistance and, within their countries of assignment, coordinate programs financed by the UNDP, the Capital Development Fund, and, where a program exists, the United Nations Revolving Fund for Natural Resources Exploration. The Resident Representatives' coordinating function also encompasses relations between host government planning authorities and most UN development system agencies. Resident Representatives act on behalf of, and furnish support for, the activities of other UN agencies, such as the World Food Program, the UN Environment Program, the Office of the UN Disaster Relief Coordinator, and the UN Department of Technical Cooperation for Development.

PROGRAM DEVELOPMENT: PATTERNS OF DEVELOPMENT ASSISTANCE

UNDP development assistance is provided to individual countries and intercountry activities on the basis of Indicative Planning Figures—IPF's—computed to cover periods (cycles) of 5 years. The first such cycle extended from 1972-76; the second cycle began in 1977 and will extend through 1981. IPF's in the first cycle were largely set on the basis of proportional equality to aid supplied by UNDP from 1967 through 1971. That is, countries were given a claim to UNDP resources projected for the years 1972 through 1976 equal to the percentage of such resources they actually received in the earlier 5-year period. IPF figures for a second cycle have been calculated on a different basis, however, with each country's population and per capita GNP being the principal factors in determining IPF size.

As a result of the application of these new criteria there has been, between the first and second cycle, a significant shift in allocation of resources. In the second cycle, increases over first cycle funding are

going to countries whose per capita GNP falls below the \$700 level. Countries with a per capita GNP of \$400 or less will receive nearly 70% of total UNDP assistance (compared with 56% in the first cycle); out of this total 48% will be given to countries whose per capita GNP is below \$150 (compared with 34% in the first cycle). Total IPF's for 1972-76 came to \$1.537 billion. The total anticipated for 1977-81, based on anticipated annual growth in contributions of 14%, is \$2.461 billion.

PROGRAM DEVELOPMENT: ACTIVITIES AND ANALYSIS

In 1979 UNDP assumed administrative responsibility for the new Interim Fund for Science and Technology for Development, with potential resources of some \$250 million for project commitments in 1980 and 1981. During the year China extended its program participation with the opening of a UNDP field office in Beijing and the allocation of a \$15 million IPF to China for the remainder of the second cycle. Thus, by the close of the year, the program was serving 152 developing countries and territories.

An intersessional meeting was held in New York January 25 and 26 to review and approve nine country programs, four global projects of the UN Revolving Fund for Natural Resources Exploration, and one program of the UN Fund for Population Activities. The United States joined more than 20 other delegations in commenting on the presentations, calling on UNDP to be cautious in proceeding with its activities in areas of hostilities, such as Southeast Asia, where an invasion of Kampuchea by Vietnam was actually in progress.

The 26th session of the Governing Council was held in New York, June 6-July 16, and essentially was devoted to reviewing the activities of the second cycle at midterm and to considering the size, policy orientation, and criteria for the allocation of new resources during the third programming cycle, 1982-86. The Administrator noted that the Program was experiencing healthy expansion, and it was expected that the full anticipated amount of \$2.5 billion could be delivered during the second cycle. Nevertheless, prudence in resource allocation for 1980 and 1981 was recommended in view of the existing international economic climate. This cautionary note proved prophetic when total voluntary contributions pledged to UNDP's main program at the November 6, 1979, joint pledging conference for 1980 amounted to only \$719 million, an increase of 4% over 1979 contributions instead of the target of 14%. In considering future financing of the program, the Council decided to convene an open-ended intergovernmental study group to examine possible options for achieving more stable and predictable financing, but also taking into account legislative constraints on multiyear commitments faced by

some governments and the right of governments to determine the relative proportions of multilateral and bilateral assistance in their overall aid programs. The Council mandated a meeting before the end of February 1980 to continue the review of preparations for the third cycle and especially of IPF projections and calculations.

The United States continued to be a very active member of UNDP in 1979. It contributed \$126 million, a 9.6% increase above the \$115 million it contributed the preceding year. The U.S. share of total contributions, however, continued to fall and amounted to about 18.2% in 1979. Regular contributions at the headquarters level and intensive participation in the January (intersessional) and June (annual) meetings of the Governing Council provided considerable opportunity to assess UNDP's continued progress and to enhance U.S. development goals of encouraging developing countries' self-reliance in agriculture, industry, education, transportation, economic planning, health, and energy.

The United States, at the June session of the Council, also gained general support in several other key areas of concern, among them, the need for additional improvements in coordinating UN technical assistance inputs at the local level (recalling the strengthened role of the UNDP Resident Representative envisaged in the UN restructuring effort and prescribed in General Assembly resolution 32/197); the need for decentralizing UNDP project administration and continued improvements in headquarters and field administration; the central role of UNDP as a channel for voluntary contributions to UN technical assistance; a commitment to improve on technical standards for project design, monitoring, and evaluation; the necessity of placing greater emphasis on elements of project design, which would encourage investment followup to UNDP projects; greater utilization of nonconvertible currencies; and a strong recommendation that the more prosperous of these countries relinquish their IPF's or become net contributors to UNDP programs.

United States participation in UNDP was manifested in other ways in 1979. For example, the United States retained its leadership as the principal supplier of equipment, valued at over \$51 million. In addition, the United States was the second largest source of UNDP experts (exceeded only by the United Kingdom) and host country to the second largest number of participants studying on UNDP fellowships (surpassed only by Italy).

UN REGULAR PROGRAM

Annual provision is made in the UN assessed budget for a small program known as the "regular program of technical assistance." Its fundamental purpose is to enable the UN to provide assistance to

developing countries on basic questions of economic and social development, including problems related to human and physical infrastructure. The activity complements and strengthens assistance available for developing countries under other programs.

The UNDP Governing Council annually reviews the work of the UN Secretariat's Department of Technical Cooperation for Development (DTCD), which is responsible for the UN regular program. The Department carries on the functions it executed formerly as the Office of Technical Cooperation. This nomenclature was dropped pursuant to the reorganization of the United Nations economic and social sectors called for by General Assembly resolution 32/197.

The program operates under a series of General Assembly resolutions relating to economic development, social welfare, public administration, human rights, narcotics, regional and subregional advisory services, and education programs for southern Africa. Major areas of work in 1979 were development planning, projections, and policies; resources and transport; social development; and public administration.

Criteria for using regular program funds from the assessed budget dictate that they be employed as seed money (e.g., pilot projects) or provide kinds of assistance unavailable from other sources. For example, the regular program's interregional advisory services—distinct from those furnished by UNDP—make available high-level, experienced specialists for short-term advisory missions aimed at resolving specific top priority development problems.

The Governing Council in June 1979 examined in greater detail the program and operation of the DTCD in recognition of the importance of UN technical assistance and the key role the organization plays as the second largest executing agency of UNDP.

The United States was instrumental in a decision by UNDP to request the Secretary General to provide the 27th session of the Governing Council with a proposal on future orientation of the work of DTCD. The report was to include guidelines for overall orientation of the program, enumeration of basic objectives for DTCD's work in each of its main sectors of activity, and identification of ways and means to increase the use of the regular program to benefit the least developed countries and to promote technical cooperation among developing countries. In addition, the United States, along with other members, urged DTCD to use its resources to support UNDP country programming exercises.

Although sympathetic with this effort to provide additional assistance to the least developed countries, the United States, consistent with its views regarding the overall UN development system, has continued to advocate that technical assistance for development be eliminated from the UN assessed budget and be

funded by voluntary contributions to the UNDP and other UN programs.

UNITED NATIONS VOLUNTEERS

The UN Volunteers (UNV) is a corps of volunteers under the Administrator of the UNDP that provides, at relatively modest cost, a wide variety of middle-level experts for development programs, mostly in the poorest of the developing countries. After early years of slow growth, the UNV now is a successful and steadily growing program. As of December 1979 there were 601 volunteers from 66 countries (23 from the United States) serving in 73 developing countries. Almost three-fourths of the volunteers are themselves from developing countries.

In 1979, the UN General Assembly adopted a resolution which took note of the accomplishments of the UNV and endorsed a recommendation of the UNDP Governing Council that the number of volunteers be increased to 1,000 by 1983. (Resolution 34/107.) The resolution also appealed to governments to increase contributions to the Special Voluntary Fund for Volunteers in order to support the recommended expansion.

The U.S. Peace Corps works closely with the UNV. It makes the U.S. contribution to UNV from its budget and recruits for UNV in this country.

CAPITAL DEVELOPMENT FUND

Although the name given when it was established in 1966 by the General Assembly may suggest an institution on the order of the international development banks, the Capital Development Fund might more appropriately be called the "Light Capital Technology Fund." Of the approximately 30 countries to which it has been providing assistance, all but 2 are among the least developed. In these countries, it is generally the poorest of the poor who receive help.

Help consists of financial support for rudimentary-to-intermediate-stage technology, which poor people themselves are able to manage, control, and use in penetrating markets accessible to them. These projects have to be relatively small to provide beneficiaries with a sense of identification, group motivation, and achievement. Project activities have included irrigation and food storage systems; rural school and health center construction; the establishment of cottage industries, cooperatives, and credit unions; and vocational training facilities.

The UNDP Administrator serves as the Fund's managing director, and the UNDP Governing Council is the Fund's executive board. The

Fund has a small headquarters staff in New York, but for information from the field and monitoring of projects, it relies on the resources of UNDP. (This includes UNDP Resident Representatives and UN specialized agency employees and experts hired on contract, reporting to UNDP headquarters through the Resident Representatives.) In this way the Fund is able to take advantage of UNDP's infrastructure and keep its own overhead costs (now 2%) to a minimum.

During 1979, Capital Development Fund resources increased by almost \$25 million, including a U.S. contribution of \$2 million. Other major donors in 1979 were the Netherlands (\$8.69 million); Sweden (\$5.68 million); Norway (\$2.91 million); Switzerland (\$1.16 million); Denmark (\$2.83 million); India (\$.5 million); and Yugoslavia (\$.3 million). Cumulative contributions from governments since the Fund's inception, including pledges for 1979, stood at about \$92 million, including \$4 million from the United States. Operating under partial funding, by the end of 1979 the Fund had allocated about \$112 million to projects in 31 developing countries.

The Governing Council of UNDP, of which the United States is a member, provides policy guidance for the Fund. At the Council's annual review of Fund activities in June 1979, the United States joined in consensus approval of the Fund's operations, although it questioned the appropriateness of two projects which contained a high proportion of equipment and were related to distributing World Food Program supplies and disaster relief. The same decision permitted the Fund to undertake partial funding of projects on a limited, experimental basis until a review is made in 1981. The Fund had operated under full funding, which required commitments not to exceed contributions on hand. This necessarily resulted in a gradual accumulation of resources and a slow disbursement rate, because Fund projects often extended over several years. Under partial funding, the Fund may commit itself to execute projects calling for a larger volume of resources than contributions on hand. The anticipated result was to quickly expand project commitments and a higher volume of cash disbursements. An operational reserve of at least 20% of commitments will also be maintained.

UNDP AND THE PLO

At its January 1979 intersessional meeting, the UNDP Administrator provided the Governing Council with preliminary proposals for responding to General Assembly resolution 33/147, which directed UNDP to assist the Palestinian people. The plan called for UNDP, working with ECWA and the specialized agencies, to identify some of the specific economic and social needs of the Palestinian

people. The discussions were also designed to identify and determine the cost of assistance projects to respond to these needs. A report was then to be made to the June annual session of the Council.

The Administrator's proposal received wide support among Arab states, the Soviet Union, and several Eastern European countries. The United States supported the proposal as consistent with normal UNDP procedures but recalled that it had not voted in favor of resolution 33/147 for reasons outlined at the time of its adoption.

The June UNDP Governing Council session, after reviewing the results of UNDP's consultations, authorized the Program to spend up to \$3.5 million on assistance projects for Palestinians. The PLO was not given any special role or consideration in regard to planning projects or channeling funds. Several Arab states spoke in favor of UNDP's proposals for projects and funding, as did the PLO observer, who clearly envisaged the bulk of the assistance being directed to West Bank Palestinians. He noted that substantially more assistance was needed.

The U.S. Representative, Ambassador Melissa F. Wells, indicated guarded U.S. agreement with the consensus taken by the Governing Council. While supporting the UNDP plan and reflecting on the cooperative spirit demonstrated by all parties thus far in bringing many points of view together in a constructive way, Ambassador Wells stated that "the United States supports assistance to the Palestinian people but it does not want this support to be used for any action which would put the interest of any political group above the interests of the Palestinian people themselves."

UN Industrial Development Organization

Established in 1966 by the General Assembly, UNIDO is an autonomous organization within the United Nations whose purpose is to promote and accelerate the industrialization of developing countries by providing technical assistance and related services. Membership in UNIDO is open to all members of the UN, its specialized agencies, and the IAEA. The United States has been a member since UNIDO's inception. During 1979, UNIDO, along with the other Vienna-based UN organizations, moved into the newly completed Vienna International Center.

*Members of IDB during 1979 were Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burundi, Chad, China, Democratic Yemen, Federal Republic of Germany, Finland, France, German Democratic Republic, Guatemala, Hungary, India, Iraq, Italy, Japan, Kenya, Malaysia, Malta, Mexico, Netherlands, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Sierra Leone, Sudan, Swaziland, Switzerland, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, U.S.S.R., United Kingdom, United Republic of Tanzania, and the United States.

The Industrial Development Board (IDB) is UNIDO's policy-formulating body and is comprised of 45 states elected by the General Assembly on a rotating basis for 3-year terms.⁴ The IDB meets once a year. Its 13th regular annual session was held April 24-May 4, 1979. This year it held its first special session, November 12-16, to prepare for UNIDO's Third General Conference (January 1980) and to consider rules of procedure for its system of consultations.

The headquarters and field staff of UNIDO, about 1,600 individuals, promote industrial development by making available internationally recruited experts, by training developing country personnel, by establishing pilot institutions, and by preparing investment project proposals for multilateral and bilateral financing institutions to consider. The Secretariat provides support activities, including research and publications on development and transfer of appropriate technologies; on specific industrial sectors, such as fertilizers, iron and steel, petrochemicals, and pharmaceuticals; and on industrial functions such as infrastructure, factory establishment, and factory management. UNIDO also provides several information clearinghouse services and organizes expert symposia, sectoral consultations with participants from government and the private sector to explore new opportunities for industrial cooperation, and promotional conferences to stimulate contacts among representatives of business, government officials, and consultants from countries at all levels of industrialization. UNIDO does not provide capital assistance. UNIDO funding comes largely from regular assessed contributions of the UN and from the UNDP. This is supplemented by voluntary contributions to trust funds.

In 1979, the General Assembly-assessed appropriations for UNIDO amounted to \$65,913,700. Expenditures on administration, research, and support services, funded from the regular budget of the United Nations, UNDP, and the UNIDO/IBRD cooperative program, totaled \$45 million. Voluntary contributions provided most of the financing for UNIDO's technical assistance projects, which amounted to \$70 million, with about 69% of the total coming from UNDP, 28% from the UN Industrial Development Fund (UNIDF) and from other UNIDO trust funds, and 4% from the UN assessed budget's regular program of technical assistance.

GENERAL ASSEMBLY ACTION

On December 8, the General Assembly adopted resolution 34/98 on UNIDO, which had been recommended by the Second Committee. The resolution supported various aspects of UNIDO's work and recommended certain items for UNIDO's Third General Conference

to consider. The United States joined the consensus, stating its reservations on paragraph 14, which concerned holding national, regional, and interregional preparatory meetings for the Third General Conference as well as a provision requesting the Secretary General and the UNIDO Executive Director to seek extrabudgetary resources to ensure the participation of representatives from the least developed countries in these preparatory meetings.

STATUS OF UNIDO AS A SPECIALIZED AGENCY

At its seventh special session in 1975, the General Assembly adopted a resolution endorsing the idea of converting UNIDO into a specialized agency and establishing an Intergovernmental Committee on the Drafting of a Constitution for UNIDO. On April 8, 1979, after 3 years of negotiations, the UN Conference on the Establishment of UNIDO as a Specialized Agency adopted a Constitution in Vienna by consensus. The Conference also adopted a Final Act providing for the transition stage. After 80 states have ratified the Constitution, a Conference of all ratifying states will determine the date on which the new Constitution will take effect.

By the end of 1979, 59 states had signed the Constitution, and one had ratified. The United States plans to sign the Constitution early in 1980 prior to the Third General Conference.

TRUST FUNDS

The United Nations Industrial Development Fund (UNIDF) was established by the General Assembly in 1976 to provide for pledges from countries for specific technical assistance projects. There is also a General Trust Fund. Expenditures under both funds were about \$19.4 million. Major donors to the funds were Belgium, Federal Republic of Germany, India, Saudi Arabia, Sweden, Switzerland, and the United Kingdom. The United States did not contribute to the funds but rather continued its practice of supporting UNIDO financially through its annual voluntary contribution to UNDP and through its assessed contribution to the UN regular budget. In 1979, 37 projects were financed under the trust funds.

THIRD GENERAL CONFERENCE

Convening of General Conferences of UNIDO are determined by the General Assembly. The previous General Conference in Lima, Peru, was held in 1975. Many of the resolutions approved at that Conference remain issues for the Third General Conference.

Preparations for U.S. participation in UNIDO's Third General

Conference, to be held in New Delhi January 21–February 8, 1980, were undertaken by an interagency committee comprised of representatives of the Departments of State, Commerce, Labor, Agriculture, AID, and other Government agencies. The document entitled *Industry 2000*, undertaken in response to resolution 3362 of the seventh special session in September 1975, was prepared by the UNIDO Secretariat, based on findings of an experts group brought together under the auspices of UNIDO. This study was the Secretariat's main contribution to the Conference deliberations.

The study, which reviewed and analyzed problems and prospects for industrialization in the Third World, presented eight major implementing proposals. The proposals dealt with difficult issues on which divergent views were held between the developed and the developing countries—technology transfer, the role of the public sector in industrialization, redeployment, etc. The Conference therefore was expected to require a great deal of preparation and close coordination with the Western European and Others group of countries.

SYSTEM OF CONSULTATIONS

UNIDO's system of consultations is a continuing series of international meetings to consider problems encountered by the less-developed countries in the industrialization process, and ways in which international cooperation can be brought to bear in specific industrial sectors. Each of the 6 consultations held thus far has attracted about 200 industrial experts from government, business, labor, and consumer and other interested groups from 55–65 countries.

To date, consultations have considered the following industrial sectors: fertilizer, iron and steel, leather and leather products, vegetable oils and fats, petrochemicals, and agricultural machinery. The latter two consultations were held in 1979. The United States has participated in all of these consultations through private industry experts and observers from the U.S. Mission to UNIDO.

The 13th session of the IDB in April 1979, called for consultations to consider food processing, pharmaceuticals, capital goods, and industrial manpower training, as well as followup consultations for fertilizers, leather, petrochemicals, and vegetable oils and fats.

OTHER UNIDO PROGRAMS

Other UNIDO programs included:

(1) The largest recipient of UNIDO technical assistance under UNDP funding was the chemical industries, with \$17.5 million,

double the 1978 amount. Projects in agroindustrial development accounted for \$9.6 million; institutional infrastructure, \$8.6 million; metallurgical industries, \$8.2 million; engineering industries, \$6.5 million; and training, \$6.1 million. Other smaller programs included investment cooperation, factory establishment and management, feasibility studies, and programs formulation and direction.

The Asia/Pacific region was the highest recipient of technical assistance, receiving 27.9% of the total; followed by Africa with 24.7%; the Americas, 13.4%; the Arab states, 13.3%; and Europe, 8.7%. Global and interregional projects accounted for the other 12%.

(2) UNIDO technical assistance is also implemented by the programs of the Senior Industrial Development Field Adviser (SIDFA) and the Junior Professional Officer Program, which provide field advisers to developing countries. The programs were funded by UNDP and through bilateral agreement. In 1979, 80 advisers were employed in Third World countries.

(3) In carrying out its mandate, UNIDO works closely with other international agencies, often through informal working groups, to coordinate their efforts. In addition, during 1979, 3 bilateral inter-secretariat arrangements were formalized with UNESCO, UNCTAD, and WHO, bringing the total number of agreements to 12, including those with the 5 regional economic commissions.

(4) The Investment Cooperative Program Office (ICPO) is responsible for promoting private and public investment in industrial projects in the developing countries. The program is facilitated through a cooperative arrangement with the World Bank and through four Investment Promotion Services located in Brussels, Cologne, New York, and Zurich. These services provide information and developmental techniques both on an individual basis and through promotion meetings. The offices in Brussels, Cologne, and Zurich are financed by the host governments; the New York office is partially funded through a grant from the Overseas Private Investment Corporation.

(5) A pilot information system was established as an ongoing activity of the Secretariat through the formation of the Industrial and Technological Information Bank (INTIB). Thirty-six publications were issued during the year, including a number of technical monographs.

(6) UNIDO continued during 1979 to foster the process of collective self-reliance among developing countries by defining potential areas for economic and technical cooperation among developing countries (ECDC/TCDC). Four ministerial-level meetings were held in Afghanistan, Haiti, Tanzania, and Turkey to explore ways in which the more advanced of the developing countries could assist the least developed.

General Agreement on Tariffs and Trade

The General Agreement on Tariffs and Trade (GATT) became effective through a protocol of provisional application on January 1, 1948, with the objective of promoting world economic growth and higher standards of living through a reduction of barriers to international trade and the elimination of discriminatory treatment. The GATT remains the principal multilateral instrument through which the United States is working to improve the world trading system. The United States has been a party to the GATT since its inception.

The GATT consists of (1) a framework of general rules to promote trade relations among the contracting parties on a fair and equitable basis; (2) procedures for consultation and meetings of members to discuss policies, develop new rules, and settle disputes; and (3) concessions agreed upon in trade negotiations in the form of schedules of tariff rates extended by individual contracting parties to other contracting parties. The most-favored-nation principle requires that each contracting party apply the rate negotiated with any one party to all other parties. The GATT Contracting Parties have established a variety of forums in which general and specific trade problems and disputes may be discussed.

Membership of the GATT reached 85 states in 1979 with the addition of the Philippines. Colombia and Tunisia continued to maintain their provisional accessions, and 24 other states apply the GATT on a *de facto* basis. Negotiations between the Contracting Parties for Colombia's full accession to the GATT pursuant to the provisions of Article XXXIII were completed in December and will become effective in 1980. Negotiations leading to a draft protocol for the accession of Mexico were also completed in July 1979. That protocol has been forwarded to the Contracting Parties and to the Government of Mexico for their consideration.

While not an integral part of the UN system, the GATT Contracting Parties, acting as a collectivity, cooperate closely with UN organizations. For example, the GATT Contracting Parties and UNCTAD jointly direct an International Trade Center to assist developing countries in promoting their exports.

The GATT has provided the framework for seven multilateral rounds of tariff negotiations. The seventh, the most ambitious and far-reaching in its objectives, officially launched with the unanimous adoption of the Tokyo Declaration in September 1973, was completed in 1979. This round differed from previous negotiations in that major emphasis was placed on reduction of nontariff barriers to trade and on special efforts to benefit the less-developed countries and to achieve freer trade in agricultural products. Previous rounds of trade negotiations had concentrated to a much greater degree on reduction

of tariffs and had only limited success in dealing with agricultural trade problems.

In 1975 the negotiations moved from the preliminary procedural stage into discussions of specific issues. Further progress was made in 1976, including the establishment of a group to consider improving the world trade framework and a group to study government procurement policies. In mid-1977, the major participants agreed on an ambitious timetable designed to accelerate the negotiations. By late 1977, requests for reductions in agricultural tariffs and nontariff measures affecting both industrial and agricultural producers had been put forward, and draft versions of codes or other proposals on rules governing nontariff measures had been drawn up for negotiating purposes.

Initial offers on tariff and nontariff measures were made in early 1978, and specific negotiations continued throughout the year. By the end of 1978, basic agreement had been reached among the developed countries on most of the crucial issues, and the United States was in the final stages of negotiations with all the major developing countries. Negotiations were essentially concluded by July 1979, and their results were officially accepted by the GATT Contracting Parties at their November session.

While the major rounds of trade negotiations have liberalized international trade in several large steps, the role of the GATT in the functioning of the international trading system on a day-to-day basis has also been important. The regular sessions of the Contracting Parties, generally held annually, are the highest forum of the GATT and, as such, decide upon the direction of the GATT's work. In addition, the GATT Council (which meets several times a year between sessions), standing committees, and special working parties and panels afford the Contracting Parties other forums for debate on trade issues and mechanisms to resolve disputes.

Regular GATT activities in 1979 were concerned with reviewing the application of the articles of the Agreement and with emergency action and other changes in the trade policy measures undertaken by various Contracting Parties. A GATT working party met five times between June 1978 and October 1979 to examine how GATT rules regarding specific rates of duty might be altered or refined in a world of floating exchange rates. Another GATT working party met to examine certain export inflation insurance schemes and to devise guidelines for determining whether such schemes violated GATT obligations.

Consultation regarding trade measures undertaken for balance-of-payments purposes were held with Brazil, Portugal, and Turkey. The Contracting Parties approved the preferential trading arrangements established between the ASEAN nations and reviewed arrangements

between EFTA and Finland and between the EEC and Austria, Finland, Iceland, Norway, Portugal, Sweden, and Switzerland. Working parties established to examine agreements concluded between Finland and Poland and between the German Democratic Republic, Bulgaria, and Czechoslovakia continued their work.

Waivers previously granted were extended to permit Turkey to apply a stamp duty; to permit Pakistan an extension of the time limit to renegotiate its GATT tariff schedule; for Uruguay to continue to impose certain import surcharges; and for India to continue to maintain an auxiliary customs duty.

The Consultative Group of 18, a political level steering group established by the GATT Council in 1975 for 1 year, later extended to the duration of the Multilateral Trade Negotiations (MTN), was made a permanent GATT body.

UN Conference on Trade and Development

The UN Conference on Trade and Development (UNCTAD) is an organ of the General Assembly concerned with the trade and related economic problems of the developing countries. Since it was established in 1964, UNCTAD sessions have convened every 4 years. The fifth session (UNCTAD V) met in Manila, May 7–June 3, 1979. Membership is open to any country that is a member of the United Nations, the specialized agencies, or the IAEA. UNCTAD now has 159 members—the 152 members of the United Nations plus 7 other states that are members of specialized agencies.

UNCTAD has permanent machinery that functions between Conference sessions. The senior body is the Trade and Development Board (TDB), which includes all the member states of UNCTAD that decide to participate. The TDB held its 10th special session in Geneva, March 19–27 and its 19th regular session, in two parts, October 8–20 and on November 23, 1979. All these sessions were held in Geneva.

The TDB has seven committees, which are open to all UNCTAD members, plus a number of other subsidiary bodies. The seven committees are Commodities, Manufacturers, Invisibles and Financing Related to Trade, Shipping, Preferences, Transfer of Technology, and Economic Cooperation among Developing Countries. The United States is a member of the TDB, of the seven committees, and, with a few exceptions, of the other subsidiary bodies.

UNCTAD V

The fifth United Nations Conference on Trade and Development

(UNCTAD V) met in Manila in May 1979. The meeting covered a wide range of issues, on a number of which no resolution was produced. However, the Conference did adopt some consensus resolutions on a few issues, including one on protectionism and structural adjustment and one on aid to least developed countries. It was a significant meeting in a number of regards.

With agreement having been reached in March on the framework for a Common Fund, the Group of 77 (now composed of over 100 developing countries) entered UNCTAD V with no clear agenda. They came to the Conference with serious concerns about the outcome of the Tokyo Round of multilateral trade negotiations, rising protectionism, and declining rates of world economic growth, all of which were taking a heavy toll in the developing world. As a result, UNCTAD V was marked by a new or at least renewed emphasis on the need to maintain an open trading system, on structural adjustment as a key international issue, and on the relationship between economic growth in the North and the development prospects in the South.

In a concluding resolution, adopted by consensus, UNCTAD member states agreed that "structural adjustment is a constant and global phenomenon which the international community should facilitate by conscious efforts" to ensure overall growth, development, and diversification of developing economies and an effective international division of labor. The Conference also decided that UNCTAD should conduct an annual review of changing patterns of global trade and production. Further, it noted that developed countries should implement new policies and strengthen existing policies that would encourage domestic factors of production and move progressively from the lines of production that are less competitive internationally, especially where the long-term comparative advantage lies in favor of developing countries. In giving attention to the problems of least developed countries, the Conference decided without dissent to launch a "comprehensive new program of action for the least developed countries," and called for providing "much larger flows" of assistance to such countries. In 1980 preparations will begin for a special UN Conference on the Least Developed Countries, to be held in 1981.

On development assistance generally, UNCTAD V urged all donor countries "to increase effectively and substantially" their official aid flows, and called specifically for a doubling of Official Development Assistance (ODA) for least developed countries.

UNCTAD V also proposed intensified action to reach agreement on individual commodities. It agreed to lines of action for a possible international strategy to boost the technological capacity of the Third World. Agreement could not be reached in Manila on the main issues

that have so far blocked completing a code of conduct for the transfer of technology.

Intensive negotiations also failed to produce a resolution on another major agenda item—dealing with interdependence and conditions in the world economy. Here, and in other discussions, the issue of energy was paramount. Indeed, UNCTAD V was marked by a break in the ranks of the Group of 77 between oil-importing developing countries and OPEC. As some G-77 representatives argued, it was impossible to discuss broad issues of economic interdependence without discussing energy and its impact on development. In the end, the oil-importing developing countries agreed not to press the issue at the Conference, and the OPEC countries, in part to reach agreement in Manila to avoid a discussion of developing countries' energy problems, reportedly agreed to consult outside UNCTAD V with the oil-importing developing countries.

COMMODITY TRADE

Integrated Program for Commodities

Over the past few years, the developing countries have made commodity policy a major issue in the so-called North/South dialogue. In 1976, UNCTAD IV adopted a resolution launching the Integrated Program for Commodities (IPC). The IPC provides the framework for ongoing producer/consumer discussions covering a wide range of commodities; including rubber, copper, cocoa, sugar, timber, jute, tea, and cotton. In addition, the IPC provided for preparatory meetings on a Common Fund for commodities which would facilitate the financing of commodity measures set up under the program. At these meetings, it was decided that negotiations to create a Common Fund should take place.

At UNCTAD V in 1979 in Manila, the developing countries voiced disappointment at the progress made under the IPC. The industrialized countries responded by emphasizing the joint responsibility of all UNCTAD members for IPC work and pointed to a number of achievements, e.g., progress in negotiating the Natural Rubber Agreement and the agreement on fundamental elements of the Common Fund. The Manila meeting was also noteworthy for the increased emphasis the developing countries placed on promoting the processing of their own raw materials.

New Commodity Agreements

- *Sugar.* The International Sugar Organization (ISO), with headquarters in London, is the principal forum for dealing with interna-

tional sugar problems. It has administered the International Sugar Agreements (ISA's) since 1937. The United States was a member of earlier ISA's but was not a member from 1968-77.

Although the United States is a major producer of sugar, it imports nearly half the sugar it consumes. The U.S. position in the world sugar market thus reflects both the interests of its domestic producers in an adequate return for their crops and the interests of its consumers in reliable supplies at reasonable prices.

Negotiations were completed in 1977 for a new ISA. The United States participated in these negotiations, aiming to make the new ISA a cornerstone of future U.S. sugar policy. Despite delays in ratification in 1978 due to domestic legislative reasons, the United States participated as a provisional ISA member and limited sugar imports from ISA nonmember countries. On November 30, 1979, the U.S. Senate gave its consent to ratification of the ISA.

The Agreement was designed to stabilize the world price of sugar between 11¢ and 21¢ per pound. The 11¢ minimum is to be defended by a worldwide system of export quotas. The Agreement's price range is expected to encourage sufficient investment to avoid future supply shortages and concomitant price increases. The ISA provides for the interests of consumers with additional protection by establishing a reserve stocks system under which about 2.5 million tons of sugar will be set aside and held in exporting countries for release if prices should approach the 21¢ level.

The ISA is consistent with the objectives of the United States and with the intent to balance the interests of producing and consuming countries in international commodity arrangements. Once in full operation, it should reduce the need for costly domestic price support programs. In addition, the Agreement's price stabilization provisions will assist a number of developing countries, whose economic growth can be seriously affected by sharp fluctuations in the price of sugar.

- *Natural Rubber.* UNCTAD-sponsored negotiations for a new natural rubber agreement were successfully concluded October 5 in Geneva. The Agreement will enter into force October 1, 1980, if the specified number of governments have ratified or agreed to provisional application. In addition to ratification of U.S. participation, the Congress also will have to consider an appropriation request for the U.S. contribution to the buffer stock account.

The primary objectives of the Natural Rubber Agreement were to stabilize natural rubber prices without distorting long-term market trends and to expand natural rubber supplies for importing members at reasonable prices. The primary instrument for achieving these objectives is an international buffer stock financed by members. This stock will be 550,000 metric tons of natural rubber, consisting of a normal stock of 400,000 metric tons and a contingency stock of

150,000 metric tons. By providing greater price stability, the agreement is expected to encourage investment in natural rubber production in exporting countries. The stock will be located in both exporting and importing countries. The stock manager will buy or sell from the buffer stock to counteract movements in the world market price of natural rubber below or above certain prescribed reference levels. There is a provision for periodic review of reference prices to permit adjustment to changing contributions. To help ensure adequate supplies, the Agreement contains no provision for export or production controls. Moreover, it has special clauses aimed at avoiding supply shortages and provides for other longer term measures to expand and improve natural rubber production, productivity, and marketing.

Commodity Agreements Under Negotiation

- *Cocoa.* The principal international producer/consumer forum for cocoa is the International Cocoa Organization (ICCO), headquartered in London, which monitors operation of the International Cocoa Agreement. Joining the most recent 1975 Agreement were 26 consuming countries and 18 producing countries. The United States is not a member of the Agreement. The ICCO endeavors to stabilize the world market price of cocoa through export quotas and by operation of a buffer stock financed by the collection of levies at the point of export.

Negotiations on a new International Cocoa Agreement began in early 1979. The United States agreed to participate in these negotiations on the basis of favorable reception given its proposals for stabilization solely by a pure buffer stock. Negotiations were suspended, however, in late 1979. The primary issue left unresolved was that of the buffer stock's minimum intervention price. The present Agreement will expire on March 31, 1980, unless further extended.

- *Tin.* Since 1956, international trade in tin has been influenced by five successive 5-year International Tin Agreements (ITA). The ITA's objective has been to avoid excessive price fluctuations by using a buffer stock and export controls. The International Tin Council—the administrative arm of the ITA—attempts to confine prices within a broad range, following the market trends of tin prices, by operating a buffer stock to moderate extreme price changes. Additionally, when the buffer stock is inadequate to support the floor price, the Council is empowered to institute export controls to reduce the internationally available supply of tin.

The International Tin Council is an intergovernmental body composed of 7 tin-producing countries and 22 consuming countries. The

producer members of the Council account for about 85% of world tin production and the consumer members account for about 95% of world consumption. The ITA is the first in which the United States has joined.

The Fifth International Tin Agreement expires in July 1981. A negotiating conference for the Sixth Agreement is scheduled for April-May 1980.

One of the most important issues in the current ITA has been the floor price level. Producers have argued that the floor price should be a minimum price guarantee related directly to the highest cost of production, including progressive *ad valorem* taxes on tin production. Consumers have argued against any direct relation of specific estimates of unit costs of production, including taxes to the floor price, and in favor of producer actions to ease domestic restraints to production, including taxes. In addition, consumers have pointed out that continued high market prices for tin are stimulating consumers to substitute other materials for tin.

Another issue facing the Council is that historically, its buffer stock has been too small to moderate price changes. The result has been an excessive reliance on export controls to defend the floor price and an insufficient buffer stock to defend the ceiling price. Accordingly, the United States and other tin-consuming countries have agreed to make voluntary contributions in cash or tin to the buffer stock.

A U.S. contribution to the current agreement of up to 5,000 long tons of tin metal was authorized by Congress on December 29, 1979, as a part of legislation authorizing disposal of 35,000 long tons of surplus tin from the U.S. strategic stockpile. When the U.S. contribution has been transferred to the Tin Council, it must be sold under the buffer stock's operating rules, since the recent market price is above the ceiling price.

Other Commodities

• *Coffee.* The main forum for discussing problems in the world coffee market is the International Coffee Organization (ICO), an intergovernmental organization in London responsible for administering the International Coffee Agreement (ICA). The current ICA entered into force on October 1, 1976. Members of the Agreement are 24 consuming countries from the developed world and 43 producing countries in Africa, Asia, and Latin America. The United States has participated in the International Coffee Organization since its founding in 1962.

The Agreement meets some key U.S. objectives. It helps assure that no restrictions are placed on coffee trade as long as prices are

high. The principal economic mechanism of the Agreement is a system of export quotas. Because of major frosts in Brazil and supply disruptions in other exporting countries, coffee prices since 1976 have been well above the levels that would trigger imposition of the quotas. The Agreement provides that when quotas are in effect, they will be suspended automatically whenever prices rise sharply. The Agreement also can serve consumers by providing growers with the assurance of a stable market so that they undertake the investments needed to restore and increase coffee production.

Coffee prices were down in early 1979 but rebounded in the year's second half after a May frost in Brazil. The ICO met periodically through the year to discuss world coffee market developments and a revision of certain economic provisions of the Agreement. Progress in the latter area was hampered, however, by concerted price support actions taken by some large producing countries. The United States and many other consuming countries oppose these actions as inconsistent with the ICA.

• *Copper.* During 1979 there were several preparatory and technical meetings between copper producers and consumers. The United States is the world's largest producer and consumer of copper; as such, it has an important interest in improving the functioning of the copper market. It has taken an active role, therefore, since the beginning of the copper dialogue. The UNCTAD discussions have revolved around three broad themes—a possible international commodity agreement, an intergovernmental producer/consumer forum, and possible “interim” measures to improve market conditions that might be implemented more quickly than a commodity agreement.

As agreed among participants, UNCTAD copper discussions have concentrated on examining stabilization measures in 1979. In February, the United States submitted a paper outlining a buffer stock arrangement for copper price stabilization and in June presented a detailed analysis of price stabilization results under alternative buffer stock simulations. These U.S. papers were well received by other delegations, but no consensus has emerged in favor of any one approach.

MONEY AND FINANCE

The developing countries have long sought to increase UNCTAD's activity and influence in the international monetary area. UNCTAD V adopted by a vote of 69 to 17, with 13 abstentions, a resolution on international monetary reform. The developed countries objected to the resolution not only because of the extreme demands on the International Monetary Fund (IMF) contained in the resolution, but also

because the subject itself is entirely outside UNCTAD's mandate and clearly the responsibility of the IMF. Among the objectionable features of the resolution was the decision to establish, within UNCTAD, an intergovernmental group of experts on monetary questions. This decision was sharply criticized by most developed countries. The UNCTAD Secretariat has been unsuccessful in convening such a group because the major countries essential to any meaningful discussion on the monetary system, including the United States, have indicated that they will not participate.

The Conference also adopted a major resolution (129(V)) on the transfer of real resources to the developing countries. Although many countries (including the United States) expressed reservations on the resolution, it was adopted by consensus. Major elements of the resolution were agreement by developed countries to (1) increase bilateral aid "effectively and substantially" toward the agreed target of 0.7%, (2) project aid expenditure further into the future, and (3) improve the quality of aid. The resolution also called for increasing the capital of the World Bank, improving the Bank's lending procedures, increasing program lending, and other improvements. The United States, in its statement of reservation, noted that it did not accept the 0.7% target, expressed concern about the measures relevant to the World Bank, and regretted that the resolution did not discuss foreign investment, which was an important factor in resource transfers.

DEBT

The issue of developing country debt has been a major topic of discussion between developed and developing countries. As a result of the serious economic problems that they confront, some low-income countries now view debt relief as a vehicle for providing balance-of-payments support or as a means of supplementing what they consider to be inadequate flows of development assistance. At UNCTAD IV and at the Paris Conference on International Economic Cooperation (CIEC), the negotiating caucus of developing countries advocated generalized (i.e., across the board) debt relief as necessary to assist in achieving developmental objectives. Few countries, however, were interested in relief on commercial debt, and discussions focused on relief for the official concessional debt of low-income countries.

Most creditor countries, however, wished to preserve the traditional case-by-case approach for dealing with acute debt crises and to maintain a distinction between multilateral debt relief and development assistance. They also doubted that generalized debt relief is an efficient mode of resource transfer, since benefits would be

distributed on the basis of the historical debt profile of borrowers rather than on current country performance or need.

Given the wide divergence in views, substantive agreement on the debt issue has been slow to emerge. In March 1978, however, a ministerial level meeting of the UNCTAD Trade and Development Board's 9th special session adopted a resolution on the subject. The resolution has two basic elements.

The first is a commitment by donor countries to seek to adopt measures for the benefit of poorer developing countries that allow the terms of past aid loans to be adjusted to the easier terms of today or to adopt equivalent measures. The purpose of such a commitment, sometimes referred to as retroactive terms adjustment, is to increase the concessional element of aid rather than offer generalized debt relief. Each donor country is left free to determine the nature and distribution of the measures. In the United States, the Administration has supported a congressional initiative that now provides legislative authority to undertake, subject to appropriations, case-by-case terms adjustment for past AID loans to the least developed countries. Under the new program such countries may be permitted to make dollar payments due on past AID loans in local currency that will be used for mutually agreed upon development activities.

The second element of the March 1978 resolution is an agreement on four basic concepts (features) to guide international action on future debt problems. Differences have remained between the Group of 77 and the developed countries on the role of international institutions, particularly UNCTAD, in the application of these concepts.

International discussion on debt issues was unable to resolve these differences in 1979. The negotiations at UNCTAD V in Manila stalled on the institutional aspects of treating debt problems, although agreement came very close to being reached. On balance, UNCTAD V was a disappointment after the progress that had been made since UNCTAD IV. The official G-77 position advocated a new oversight mechanism (an international debt commission) to analyze problems, recommend action, and monitor progress. The Group of 77 claimed that such a mechanism is necessary to ensure debtor countries that both their short-term acute debt problems and their longer term structural problems are addressed in a comprehensive fashion. Although there appears to be only limited support within the Group of 77 for a new debt institution, key G-77 negotiators at Manila had firm instructions on this point. The Western nations were entirely opposed to the new mechanism on the grounds that it was not needed and could be counterproductive.

The result was an impasse, with the subject being referred to the permanent machinery of UNCTAD, along with a G-77 draft resolution calling for both the provision of retroactive terms adjustment to

benefit *all* poorer developing countries and for the establishment of an international debt commission.

At the October 1979 TDB meeting, informal talks resumed when the Group of 77 dropped its insistence on a debt commission. There appeared to be agreement on the "features" text, but the text was annexed to a covering resolution that posed four difficult issues for the United States: (1) it called for a link between acceptance of debt features and future retroactive terms adjustment measures; (2) it sought to establish a focal point within the IMF and IBRD, with UNCTAD playing a role, to offer advice to developing countries with debt problems; (3) it sought to expand UNCTAD's role and special interest in creditor groups negotiations; and (4) it called for a future review of the implementation of features by UNCTAD.

The United States argued against a role for UNCTAD and for a review of features. The talks broke down when India and Pakistan insisted on linking agreement on debt features and extension of retroactive terms adjustment to all "most seriously affected" countries. The issue was remanded to the March 1980 TDB.

Debt will remain as a North/South issue into the 1980's. The United States hopes that it will be possible to recapture the constructive spirit that characterized the March 1978 TDB meeting. Some progress has been made, particularly in the growing recognition that debt cannot be addressed on a narrow basis, and that the best way to avoid debt problems in the future is to combine sound global economic policies with sound national economic policies.

TRANSFER OF TECHNOLOGY

An Intergovernmental Group of Experts was formed in 1975 to draft a Code of Conduct for the Transfer of Technology, but the initial proposals submitted by developing and developed countries differed substantially in their philosophical basis, legal nature, and actual content. By the time of UNCTAD IV in May 1976, the only common ground reached by the Group of Experts dealt with chapter headings for the Code. The issue of the Code's legal nature was debated at length at UNCTAD IV but remained unsettled. UNCTAD IV mandated the Group of Experts to proceed with the drafting of the provisions of a Code but to leave the question of the Code's legal status to decision by a UN Conference.

The First UN Conference on an International Code of Conduct on the Transfer of Technology met between October 15 and November 10, 1978, and made limited progress in selected chapters of the Code, such as its Preamble and Principles and Objectives, but fell far short of overall agreement. The Second Conference, held October 29–November 16, 1979, made additional progress, primarily on UN

machinery to support the Code. During this Conference, the developing countries suggested that the Code might be voluntary for an initial 4-year period but that it should be binding thereafter.

The U.S. position regarding the nature and scope of the Code remains that it should (1) be voluntary in nature; (2) be appropriately balanced in reference to the responsibilities of governments as well as firms; (3) ensure that national laws regulating the transfer of technology should be in accordance with international law; and (4) assure that provisions addressed to enterprises should be consistent with legal standards and practices commonly recognized among developed countries.

Other developed countries have advocated similar positions, and to date there have been no substantial differences among the developed countries (Group B).

The developing countries (the Group of 77) have advocated that (1) the Code should be legally binding in all aspects after its first 4 years; (2) that all transactions between all affiliated enterprises should be subject to the Code; and (3) that responsibilities addressed to enterprises need not be balanced by responsibilities of governments.

RESTRICTIVE BUSINESS PRACTICES

Work in the field of restrictive business practices has been underway in the United Nations for several years. Since UNCTAD IV, the Third *Ad Hoc* Group of Experts on Restrictive Business Practices has been the focus of activity. The Group's mandate included (1) drafting a model restrictive business practices law for developing countries; (2) making recommendations on the exchange of information related to restrictive business practices in all states and providing technical assistance in restrictive business practices matters; and (3) proposing a set of "agreed equitable principles and rules for the control of restrictive business practices" that adversely affect international trade and economic development, particularly of developing countries. At the Group's meeting in April 1979, a draft set of principles and rules was finalized. The principles and rules showed substantial agreement in many areas but also reflected sharp disagreements between the negotiating entities.

UNCTAD V, in its resolution 103, called for a diplomatic negotiating conference to complete work on the set of principles and rules to be scheduled in the latter part of 1979. This conference was held November 19–December 7, 1979, at Geneva. The conference used the negotiating text drafted by the Group of Experts as its initial position. However, after 2½ weeks of difficult negotiations, Group B and the Group of 77 countries appeared to be heading toward a deadlock on several critical issues. It was averted when the

conference president proposed a compromise text. While Group B and the Group of 77 were prepared to begin negotiations using this compromise text, the group consisting of the centrally planned economies introduced a number of qualifications (including an exemption for their state enterprises) and thus prevented the conference from further consideration of the president's text and the possible conclusion of an agreement. The U.S. position regarding the nature and content of the principles and rules was that they should (1) be voluntary; (2) promote competition in international trade, thereby fostering the development of less-developed countries; (3) include principles for governments and enterprises alike; and (4) protect the "rule of reason" standard with regard to restrictive business practices. In addition, it should be universal in scope and apply equally to public and private entities and to all types of corporations without regard to nationality and not apply to international decisions within multinational enterprises that do not affect competition with other enterprises. In short, the United States sought a voluntary, mutually acceptable, and balanced set of guidelines on the responsibilities of both enterprises and host governments.

The developing countries, on the other hand, placed less emphasis on competition. They wished to control more effectively the business practices of foreign-owned corporations, which they said adversely affect their own development, and to impose controls on the allocation of functions between the parent corporation and its subsidiaries. The Group of 77 also sought a greater role for UNCTAD in the field of regulation of restrictive business practices.

A resumed session of the conference will take place from April 8-18, 1980.

SHIPPING

At UNCTAD V the question of shipping was discussed in connection with two agenda subitems—the UNCTAD Convention on a Code of Conduct for Liner Conferences and merchant fleet development.

UNCTAD Code

The UNCTAD Code of Conduct for Liner Conferences, *inter alia*, allocates cargoes, reserving 40% of affected trades' traffic to fleets of each of the trading partners involved with the remaining 20% available to third-flag "cross-trade" carriers. The United States has opposed the Code because this sharing of cargoes would reduce competition by restricting the participation of third-flag carriers. A consensus resolution noting that the Code would soon come into force was adopted at UNCTAD V. It called upon the parties to the Code to

implement it as soon as possible, invited states not parties to the Code to consider adhering to it, and instructed the Secretary General of UNCTAD to assist developing countries wishing to become parties.

The Council of the European Community adopted a regulation on May 15, 1979, permitting the accession of member states to the Code of Conduct, with certain significant reservations, and the Community reported the decision to UNCTAD V. The regulation is complex but essentially disassociates the OECD countries from the Code's cargo-sharing provisions.

Merchant Fleet Development

Merchant fleet development was discussed under three subtopics: (1) open registry (flags of convenience); (2) technical assistance/ship financing; and (3) bulk shares of trade.

Group B submitted a resolution on merchant fleet development that essentially met the desires of the Group of 77 in the areas of open registry and technical assistance/ship financing; calling for, *inter alia*, an UNCTAD study on the economic feasibility of phasing out flags of convenience. However, the Group of 77 insisted on a resolution supporting the principle of participation tied to national shares in the bulk trades. Group B opposed any language supporting the principle of cargo-sharing in the bulk and tramp trades. These trades, which have their basis in the free market concept of supply and demand, were distinguished from the closed cartel character of the European-style liner conference.

A compromise would have referred the bulk issue to the next meeting of the UNCTAD Committee on Shipping (1980), but this proposal failed because the Group of 77 insisted on pushing through their own resolution. Accordingly, Group B voted against the G-77 sponsored resolution on merchant fleet development and abstained on the G-77 resolution on technical and financial assistance. However, these resolutions were adopted by votes of 81 to 23 (U.S.), with 9 abstentions, and 91 to 0, with 23 abstentions (U.S.), respectively.

The sixth session of the Intergovernmental Preparatory Group on a Convention on International Multimodal Transport was held in Geneva February 20-March 9, 1979, and concluded with the completion and approval of a Draft Convention on International Multimodal Transport for submission to a UN conference of plenipotentiaries, which was convened in Geneva in November 1979. The Conference ended on November 30 with no agreement on a final text. A resumed session is scheduled for May 8-23, 1980.

LEAST DEVELOPED COUNTRIES

In June 1979 UNCTAD V adopted a comprehensive and far-reaching resolution on the problems of the Least Developed Countries, which, *inter alia*, outlines a two-phase Program of Action: (a) an "Immediate Action Program for the period 1979-81," the principal thrust of which was to accelerate the pace of external assistance and to address special obstacles to development, and (b) a "Substantial New Program of Action for the 1980's," the objective of which was to transform the economies of the Least Developed Countries so as to place them on the path toward self-sustained development, "enabling them to provide at least internationally accepted minimum standards of nutrition, health, transport and communications, housing and education as well as job opportunities to all their citizens, and particularly to the rural and urban poor."

The components of the "Substantial New Program" as contained in the resolution were actions to (1) overcome structural obstacles, including low agricultural productivity, prevalence of a subsistence economy, limited manufacturing, low level of natural resource exploitation and of exports, and weak institutional and physical infrastructure; (2) provide for social sector needs of the population; (3) stimulate major transformational investments; and (4) provide emergency support when appropriate, in order to minimize adverse effects on the development process. The efforts of individual Least Developed Countries are to be backed by substantially larger external assistance on the part of the international community.

In addition, the resolution recommended convening a UN Conference on the Least Developed Countries in order to "adopt and support the Substantial New Program of Action for the 1980's." The General Assembly at its 34th session in December 1979 endorsed the UNCTAD resolution and requested that the UNCTAD Secretary General be designated as Secretary General of the UN Conference, which is to take place in 1981. (Resolution 34/203.)

The United States supported the UNCTAD V resolution and subsequent action by the General Assembly but in both cases entered a reservation regarding the target for official development assistance of 0.7% of GNP. At the same time, the United States pointed out that its assistance program gave priority to the needs of the Least Developed Countries. Thus, while the Least Developed Countries constitute only about 11% of the total population of developing countries, they received 19.3% of U.S. development assistance in 1978. U.S. assistance to the Least Developed Countries, moreover, was highly concessional and in 1978 had a grant element of 92.1%, exceeding the 90% standard established by the OECD Development Assistance Committee.

Commission on Transnational Corporations

Pursuant to ECOSOC Resolution 1913 (LVII), the Commission on Transnational Corporations was established in 1974. The Commission held its fifth session from May 14-25 and on July 16-17, 1979, at Headquarters. Forty-three of the Commission's 46 member states, including the United States, attended the session. The Commission had before it four major areas of concern: (1) the work of the Intergovernmental Working Group on a Code of Conduct; (2) the efforts of the UN Center on Transnational Corporations to establish a comprehensive information system; (3) the report of the UN Group of Experts on International Standards of Accounting and Reporting; and (4) the report of the *Ad Hoc* Intergovernmental Working Group on the Problem of Corrupt Practices.

CODE OF CONDUCT

At its meetings in March, the Intergovernmental Working Group on a Code of Conduct (IGWG) reviewed the Chairman's formulations on a paragraph-by-paragraph basis, concentrating mainly on the concepts involved rather than specific language. This procedure gave each delegation the opportunity to comment on the formulations and key issues prior to any IGWG drafting sessions on actual Code language. The session underscored the continued wide divergence of views between developed and developing countries on many key concepts.

At the fifth session of the Commission in May, 1979, all delegations reaffirmed that work on the Code represented the "highest priority" for the Commission and that the Working Group should be authorized to hold three 2-week sessions each with a view to presenting a comprehensive draft to the sixth session of the Commission, scheduled for May 1980.

The U.S. position regarding the nature and scope of the proposed Code remains that: (1) it should be voluntary in nature, though a broad range of consultative mechanisms may be possible; (2) it should be appropriately balanced in reference to the responsibilities of governments as well as firms; (3) it should not be used as a basis for discriminatory action against multinational enterprises as opposed to domestic firms; (4) it should provide that TNC's be given equitable treatment in accordance with international law; (5) it should apply to all enterprises whether their ownership is private, government, or mixed; and (6) it should be negotiated independently of the Illicit Payments Treaty in recognition of the exercises' different stages of preparation, nature, and coverage.

The positions of other developed countries have been basically

identical to those of the United States, although some disagree on what points to emphasize in the negotiations.

In contrast to the views of the developed countries, the delegations comprising the G-77 argue that: (1) the Code should be binding in nature and legally enforceable by states; (2) it should uphold the concept of "permanent sovereignty," i.e., the absolute power of a state over its wealth, resources, and economic activities exclusively according to national laws; (3) the responsibilities of firms need not be balanced by any governmental responsibilities; and (4) the negotiation of the Code of Conduct and the Illicit Payments Treaty should be linked so that both are completed at the same time.

ESTABLISHING AN INFORMATION CENTER ON TRANSNATIONALS

Establishing a comprehensive information system on transnational corporations was agreed to as an item on the draft work program of the first session of the Commission in 1975. That objective was further elaborated by the Commission at its second session in Lima. During that session, the Commission directed the Center to produce a feasibility study and make proposals for guidelines and procedures to operate the system. These ultimately served as a mandate for the future work of the Center.

The Center's work on the information system proved to be controversial. The Center had presented a feasibility study and the information system proposal to the Commission's fourth session in May 1978. Reaction was generally favorable, and the Commission accepted the document as a basis for future work by the Center in the information area. The Commission outlined a number of cautions and conditions that would guide the Center in operating the system. These are contained in the report of the fourth Commission and include the need for accuracy in the system and greater clarity in the selection of firms and data; that collection efforts be limited to the actual needs of governments; that only publicly available data be collected; and that there be an annual budgetary review of the system.

At its fifth session, the Commission reviewed a progress report from the Center on setting up the comprehensive information system. Although the report was generally well received, the United States and other OECD delegations emphasized that the system must provide for preservation of business confidentiality, accuracy and comparability of data, and company rights to verify data on their activities. Since no consensus was reached on these points, the Commission's report recommended that the Center adhere to the conditions cited in the report of the fourth session of the Commission. The report also recommended that the Center continue work in 13 study

areas, such as analysis of industrial sectors and trends.

In view of continued U.S. concerns over certain aspects of the information system, the Center has since agreed that, when requesting information from U.S. companies, it will provide the name of an official of the U.S. Government that firms should contact if they wish guidance on Center matters. The requests will also note that providing data is voluntary. The United States believes that the Center should request only publicly available information, not confidential corporate data. In cases where there is a question as to whether requested data is confidential, the interpretation of confidentiality should be made by the company concerned.

INTERNATIONAL STANDARDS OF ACCOUNTING AND REPORTING

In 1977, a UN Group of Experts produced a report on International Standards of Accounting and Reporting. The group was composed of private (as opposed to government) experts. Its mandate was to improve the comparability of TNC accounting data. Ignoring its mandate, the group put together a report outlining an extensive list of disclosure items, including many not currently required of U.S. or foreign TNC's. The group did not address the question of the comparability of this data.

The Commission at its fourth session did not endorse the report. It recommended instead that ECOSOC establish a new *Ad Hoc* Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting to formulate priorities for further steps in the field of international standards of accounting and reporting. Unlike the previous group that had been selected by the Center, this group would be made up of experts selected by governments. The Commission also recommended that the group focus on accounting and reporting standards as they relate to the work on the Center's Information system and discussions on the Code of Conduct. After considerable disagreement over size of the group, the fifth session of the Commission agreed to the final composition of the Working Group. The *Ad Hoc* Working Group will hold two sessions in 1980. On May 11, 1979, the first regular session of ECOSOC adopted resolution 1979/44 establishing the *Ad Hoc* Working Group, to be composed of 34 members. The Group would be elected according to the principle of equitable geographical distribution.

Illicit Payments and Corrupt Practices

ECOSOC resolution 2041 (LXI) established the *Ad Hoc* Intergovernmental Working Group on the Problem of Corrupt Practices to

examine the serious problem of corrupt practices, primarily bribery, in international commercial transactions. In addition, the group was assigned the task of elaborating a comprehensive draft international agreement to prevent and eliminate such practices. The Group held meetings in 1976, 1977, and 1978 and developed a text which it forwarded to ECOSOC with a recommendation that ECOSOC set "an early date" for a conference of plenipotentiaries. ECOSOC at its 1978 summer session agreed "in principle, to convene, if possible in 1980 . . . a conference of plenipotentiaries to conclude an international agreement on illicit payments" and established a preparatory committee to advance "as far as possible the work on an international agreement on illicit payments." The preparatory committee met twice in 1979, and a complete treaty text has been elaborated. ECOSOC at its 1979 summer session transmitted the text to the General Assembly for appropriate action, but neither ECOSOC nor the General Assembly has agreed to schedule a diplomatic conference to conclude the work by adopting a treaty.

The problem clearly includes TNC and non-TNC bribery and relates to extortion demands by government officials. The United States believes that a long-range solution will be achieved only through a multilateral treaty implemented through national legislation. The United States has formally proposed that the treaty be based on three concepts: (1) criminal laws in home and host countries prohibiting bribery and extortion in international commercial transactions; (2) international cooperation on exchange of information and judicial assistance in enforcing these laws; and (3) provisions for recordkeeping of payments to agents and other intermediaries who deal with public officials in connection with international commercial transactions.

There has been little support from developing countries for a treaty. They are unwilling to schedule a conference unlinked to the conclusion of the Code of Conduct relating to TNC's currently at an early stage of drafting by a UN working group. The United States believes there is no excuse for a failure to conclude work on an Illicit Payments Treaty, and that such a treaty is essential if developing and developed countries are genuinely interested in grappling with the twin problems of official corruption and bribery. The U.S. desire for an agreement on bribery in no way affects its intention to continue working in the Intergovernmental Working Group on a Code of Conduct. However, progress on the Illicit Payments Treaty should not depend on, or be linked to, progress on a Code of Conduct.

Population Activities

In 1979 the UN Fund for Population Activities (UNFPA) com-

pleted its first decade of operation, during which it has been instrumental in bringing about a remarkable growth in the quantity and quality of multilateral population assistance. Over the past decade the Fund has allocated some \$450 million for more than 2,000 projects in population/family planning, implemented in over 100 countries. These activities have had particular significance for a number of major population growth countries and for some types of assistance where multilateral assistance was more appropriate than bilateral aid.

The UNFPA program expanded rapidly in 1979, rising from \$110 million to \$128 million. Within this amount, activities directly related to family planning accounted for about one-half of approved budgets; while another 10% went for communications and education projects closely related to the family planning program efforts of developing countries. The Fund continued its overall program strategy of giving funding priority to country projects, with particular emphasis on the needs of 55 countries identified for priority or special attention. To facilitate this programming emphasis, UNFPA conducted 25 country assessments to assist governments in determining their basic population needs and requirements for external assistance.

As in previous years, the majority of UNFPA resource allocations went to various elements of the UN system for project implementation. However, the direct funding of country activities to recipient governments, without using external executing agencies, except for technical advisory services, remained a unique feature of the UNFPA program, accounting for over 35% of total allocations. In addition, the Fund allocated a significant and increasing portion of its program resources to nongovernmental organizations working in the population/family planning field.

The UNFPA depends entirely on voluntary contributions from member governments. Contributions in 1979 amounted to \$111.8 million from some 40 nations, which represented an 8.6% increase over the amount provided by 36 countries in 1978. The United States remained the single largest supporter of UNFPA, contributing \$30 million, up from \$28 million in the previous year.

In recognition of UNFPA's growing role within the UN system in the population field, and its increasing assistance to the developing countries, a draft resolution entitled "UN Fund for Population Activities" was introduced in the Second Committee by Sri Lanka and 18 additional sponsors. The resolution (1) affirmed that the Fund is a subsidiary organ of the Assembly in terms of article 22 of the Charter; (2) invited the UNDP Governing Council to devote a specific period of time during its sessions to adequately consider items relative to the Fund; (3) invited the Secretary General to arrange for

UNFPA to participate fully in all aspects of the Administrative Committee on Coordination (UNFPA has participated in meetings of the ACC informally, but not as a matter of right); and (4) made clear the desire of the General Assembly that UNFPA continue to use the administrative services of UNDP and to avail itself of the services of UNDP resident representatives in countries where it has programs.

Speaking in the Second Committee, the U.S. Representative, Frank W. Brecher, said that the United States agreed on the great need to alleviate the world's population problems and looked upon UNFPA as a vital part of that effort. In the years to come, population questions will require even more of the world's attention and a steadily greater effort on the part of international organizations. The role of UNFPA will grow, and changes in its organization and programs will have to be reevaluated periodically. He added that it was the understanding of the United States that the draft resolution would not be used to effect changes in the relationship that had not been considered and approved by both the UNDP Governing Council and the General Assembly.

On the recommendation of the Second Committee, the General Assembly adopted the resolution by consensus on December 14. (Resolution 34/104.)

World Food Council

The World Food Council was created by the UN General Assembly pursuant to a recommendation of the 1974 World Food Conference. The Council, as the "highest political body" of the UN system specifically concerned with implementing the resolutions of the Conference, every year reviews at the ministerial or plenipotentiary level major problems and policy issues affecting the world food situation and makes recommendations to the UN system, regional organizations, and governments on appropriate steps by which to forge an integrated approach toward solving world food problems. The Council has 36 members.⁵

A preparatory meeting was held July 4-6, 1979, in Rome prior to the fifth session of the Council. The U.S. delegation participated in discussions on three substantive papers prepared by the WFP Secretariat. These included constraints on increasing food production

⁵Australia, Botswana, Canada, Colombia, Cuba, Denmark, Ethiopia, France, Gabon, German Democratic Republic, Guatemala, India, Iran, Iraq, Italy, Ivory Coast, Jamaica, Japan, Liberia, Madagascar, Malawi, Mexico, Morocco, Netherlands, Nigeria, Pakistan, Philippines, Poland, Sri Lanka, Thailand, Trinidad and Tobago, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia.

in the least developed countries (LDC's), world food security, and a third substantive issue on hunger, malnutrition, and the need for greater equity in distributing food. These topics were keyed to the agenda of the Council.

Meeting in Ottawa September 4-7, 1979, the fifth session of the Council produced "Conclusions and Recommendations" that closely parallel the current U.S. approach to world food security issues. The U.S. delegation was led by Secretary of Agriculture Bergland. Council members recommended national food sector strategies as the most effective method for coordinating all aspects of food security. A consensus was reached on the desirability of a new International Wheat Agreement, but without forcing the issue of resuming negotiations. The Council urged governments to reconsider their positions so that a new Food Aid Convention (FAC) could be concluded by mid-1980, apart from a new Wheat Trade Convention. A Canadian announcement supporting separate FAC negotiations gave new impetus to this initiative, previously proposed by the United States. The Council also recommended that the World Bank assess LDC needs as a prelude to future investment efforts in food storage facilities. The United States took exception to G-77 attempts to redraft the final document in the plenary session.

Philippine Minister of Agriculture Arturo Tanco was reelected for a second term as President of the Council. The low level of representation of many delegations tended to undermine the WFC's role as a policymaking body. Despite this handicap, positive progress was made on many substantive issues. The Council decided that it would convene its sixth session in Monrovia, Liberia in June 1980.

GENERAL ASSEMBLY CONSIDERATION

During discussion of the world food situation in the Second Committee, on October 23, the U.S. Representative, Dr. Morgenthau, referred to the report of the World Food Council and noted that the outcome of the fifth session of the Council had been especially important. Among other things, the conclusions and recommendations of the Council represented efforts to avoid sterile debates and to concentrate on feasible solutions to the problems of world food security. The Council had also called upon the World Bank and the FAO to assess food security infrastructure needs in the food priority countries as a prelude to possible investment efforts. There are clearly structural problems in agriculture which require reform, if those in need are to eat and live decently, and equity in distributing the fruits of development depends on the structures of the processes of production embedded within the local, regional, and national agricultural systems. For these reasons, the United States strongly supports the emphasis

the World Food Council has placed on adopting national food-sector strategies by food-deficit countries.

On December 14, the General Assembly adopted without vote resolution 34/110 on the recommendation of the Second Committee. The resolution approved the report of the World Food Council and recommended implementing the conclusions of the Council contained in the report.

World Conference on Agrarian Reform and Rural Development

Mandated by the 19th Session of the FAO Conference in November 1977, the World Conference on Agrarian Reform and Rural Development (WCARRD) met in Rome during July 12-20, 1979, to focus world attention on key issues of agrarian reform and rural development, in particular the problems of economic and institutional structures and the changes needed to meet the growing food and other basic needs of rural people in the LDC's. More than 140 states participated in the Conference, which was chaired by former Venezuelan President Rafael Caldera and addressed by heads of state from Bangladesh, Senegal, and Tanzania. The U.S. delegation was led by Ambassador Andrew Young, who in his address to the plenary emphasized that "USAID is prepared to provide assistance in support of land reforms designed to achieve a more equitable distribution of agricultural assets." In general, the U.S. delegation played a positive role in this Conference.

The movement to hold the Conference stemmed largely from a growing recognition that past development efforts generally have failed to reach and benefit rural populations and in many cases have contributed to urban-rural imbalances in development; that mass poverty in the rural sector hinders national development and contributes to social and economic instability; and that agrarian reform is a critical component in rural development to mobilize internal resources and to achieve food security for all groups. Extensive preparations were undertaken and included more than 60 country reports by member governments, 37 special studies by UN agencies, and more than 100 FAO case studies. A U.S. delegation attended a preparatory committee meeting, held in Rome during March 12-16, to consider a draft agenda and rules of procedure for the Conference, as well as to review recommendations by the FAO Regional Conferences, which met in 1978.

The WCARRD affirmed equitably based rural development strategies and increased popular participation in the political process as the major goals of development. The Conference adopted by ac-

clamation a Declaration of Principles and a Program of Action, the latter dubbed the "Charter of the Peasant" by FAO Director General Saouma. Recommendations for national programs provide guidelines for countries to achieve the twin goals of full integration of the rural sector in national development programs and equitable participation in the development process, which reflect current U.S. policy on the need for rural growth with equity. The United States and other developed countries joined the consensus in approving the Program of Action, with some reservations on specific recommendations concerning compensation for the nationalization of property, trade concessions to LDC's, and development assistance targets.

On agrarian reform, the action program states that access to land and other natural resources are "the key determinants of rural economic structures, income distribution and general conditions of rural life." It distinguishes several approaches to land reform, e.g., land redistribution, consolidation of fragmented holdings, and security for tenants, which are applicable to individual country situations. Although the program addresses many other aspects of the rural development process, such as education, people's participation, women in development, pricing and taxation, and non-farm rural development, the final documents retain the heavy emphasis on agrarian reform as an "indispensable" component in rural development. The Program calls on donors to provide assistance on a priority basis to support agrarian reform programs—an objective fully consistent with the 1979 USAID policy on land reform. Although affirming the need for active international cooperation to implement the Program, the Conference explicitly recognized that primary responsibility for agrarian reform rests with individual governments.

To assure at least a partial realization of its program, the Conference urged appropriate agencies in the UN system, with FAO as lead agency, to undertake specific followup measures. These include monitoring national programs, technical assistance, and mobilizing resources to finance rural development programs. The 20th Session of the FAO Conference, meeting in Rome during November 1979, endorsed the WCARRD Declaration of Principles and the Program of Action and passed a resolution on followup to the WCARRD, authorizing the FAO Director General to mobilize the staff and resources of the FAO to assist member countries in implementing the Program of Action.

Technical Cooperation Among Developing Countries

The idea of improving Technical Cooperation Among Developing Countries (TCDC) made excellent progress in 1979. The UN General Assembly, in December 1978, (by its resolution 33/134) unanimously

approved the Plan of Action that had been adopted by the UN World Conference on TCDC the previous September at Buenos Aires, Argentina. This action officially launched this new development concept.

In its resolution, the General Assembly urged all UN Organizations to reorient their internal policies and procedures in order to respond to the principles and objectives of TCDC. It made the UNDP the focal point in the UN system for coordinating action and following up on the 38 recommendations contained in the original Plan of Action.

A great deal of time was spent during the June Governing Council of the UNDP discussing the need to expand the structure of the UNDP to handle this new program. The United States played a leading role in this debate because it strongly supported the TCDC concept. The Governing Council finally agreed to (1) double the staff of the Special Unit for TCDC from 7 to 14 persons; (2) create a new post at the D-2 (highest career appointment) level to supervise the Special Unit; (3) allocate \$2.2 million in additional funds for the Special Unit in 1980-81; (4) have a substantive discussion of TCDC at each regular session of the UNDP Governing Council; and (5) authorize the Administrator to call a high-level meeting of all states participating in the UNDP from May 26-June 2, 1980, to review the progress made by all countries in implementing the TCDC program.

SOCIAL ISSUES

Action on Drug Abuse

The severity of the global drug abuse problem received increased attention by the United Nations in 1979. Working within the UN framework, the United States continued its efforts to increase worldwide recognition of the problem of drug abuse and to step up programs to combat it. The United States was actively involved not only because of its domestic drug abuse concerns but also because of its conviction that the eradication of drug abuse requires the cooperation and participation of all countries and relevant institutions.

COMMISSION ON NARCOTIC DRUGS

The Commission held its 28th regularly scheduled biennial session in Geneva, February 12-23, 1979. Delegations attending the session represented the 30 members of the Commission,⁶ 35 observer countries, 16 international organizations, and 9 private organizations. The U.S. Delegation was headed by the Assistant Secretary of State for

International Narcotic Matters, Ms. Mathea Falco.

The Commission received reports which indicated that drug abuse is spreading to more countries, that abuse patterns are becoming more varied, and that ominous changes are occurring in illicit traffic patterns, such as the increased smuggling into Europe of heroin produced from opium of Near or Middle Eastern origin.

Resolution 32/124, which had been initiated by the United States, addressed international drug abuse conventions, treatment, and rehabilitation and stressed the need for collaborative support for projects to promote economic alternatives to illicit cultivation and production of narcotic substances. The Commission considered a working paper on the implementation of the resolution. In the working paper, an attempt was made to examine, evaluate, and endorse general guidelines for the strategy and policies required to cope with the various aspects of international drug control problems.

On February 23, the Commission adopted a resolution entitled "Launching of a program of international drug abuse control strategy and policies." Among other things, the principles for an international strategy included: (1) strengthening the international drug treaty system; (2) improving cooperation in the three major fields of the fight against drug abuse, i.e., illicit production, control of illicit traffic, and reduction of demand; (4) identifying clear areas of responsibility for each UN body and specialized agency; and (5) achieving above-average priority for international drug abuse control in the regular budget of the United Nations.

The oversupply of narcotic raw materials was a dominant issue and reflected comments in the 1978 Report of the International Narcotics Control Board that morphine manufacturing capacity would be, on the average, 50% greater than requirements unless there was a large and unforeseen increase in licit demand. Discussion on this topic resulted in approving a resolution for ECOSOC to adopt, which called upon importing countries to support antidrug policies of the traditional supplier countries and give all practical assistance to avoid the proliferation of new producing/manufacturing sources for export. ECOSOC subsequently adopted the resolution 1979/8 on May 9 at its first regular session.

Discussion of the UN Fund for Drug Abuse Control (UNFDAC) was focused on program priorities and the Fund's financial situation. The Commission members endorsed the Executive Director's plan to direct more resources to its multisectoral country programs. In view of UNFDAC's limited financial resources and its responsibility for

⁶ Algeria, Argentina, Australia, Belgium, Brazil, Canada, Colombia, Federal Republic of Germany, France, German Democratic Republic, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Madagascar, Mexico, Pakistan, Panama, Sweden, Thailand, Togo, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, Yugoslavia.

supporting programs in narcotics control, Commission members expressed concern over the possibility that Fund resources would be used for the administrative purpose of financing the move of its offices from Geneva to Vienna. As a result, the Commission referred a recommendation to ECOSOC asking the General Assembly to refrain from using UNFDAC monies for this purpose and to find other ways and means of financing the transfer.

ECOSOC

At its first regular session for 1979, ECOSOC had before it the report of the 28th session of the Commission and five resolutions recommended for adoption by the Council. The five included the resolution addressed to maintaining a worldwide balance between the supply and demand of narcotic substances as discussed above. It was subsequently adopted as resolution 1979/8.

On April 13, the U.S. Representative, Ambassador Melissa Wells, reported that the General Assembly acted with admirable forethought when it asked in resolution 32/124 that the Commission devise a program of strategies and policies to guide international drug abuse control. The United States was gratified with the results of the efforts of the Commission and was pleased that the resolution incorporated many constructive concepts and contained what the United States considered an excellent statement of principles to serve as the foundation for the program required.

The first resolution, recognizing the need for the Commission to monitor the implementation of its program of international drug control, decided that the Commission on Narcotic Drugs should hold a special session of 2 weeks in 1980. The need for the special session was acknowledged in resolution 1979/6 and was confirmed as to specific date in decision 1979/81. Another resolution invited governments of countries in the region not yet having done so to ratify or, where appropriate, to accede to the South American Agreement on Narcotic Drugs and Psychotropic Substances. (Resolution 1979/7.)

Yet another resolution requested the Secretary General to ensure the maximum practical degree of coordination of international efforts in the field of drug abuse control, taking into consideration the assignment of specific responsibilities entrusted to UN bodies and specialized agencies under the treaties and the maintenance of the full technical independence of the International Narcotics Control Board. (Resolution 1979/9.) The final resolution reiterated the inadvisability of using resources from UNFDAC to cover costs related to transferring the Division of Narcotic Drugs and the secretariats of the International Narcotics Control Board and UNFDAC from Geneva to Vienna and requested the Secretary General to seek

General Assembly approval for financing the costs of the transfer from existing regular budget resources. (Resolution 1979/10.)

On February 9, 1979, the United States was reelected by ECOSOC to a new 4-year term on the Commisison, running from 1980 to 1983.

GENERAL ASSEMBLY

The Third Committee of the General Assembly took up the problems of international drug abuse in December as part of its overall consideration of the report of ECOSOC. On December 5, Kenya, joined by 28 other sponsors, introduced the revised text of a draft resolution entitled "Exchange of information on banned, dangerous, and hazardous medical drugs and chemicals." (The draft had been before the Committee since November 27.) The resolution urged member states to exchange information on products that had been banned in their territories and to discourage the exportation of these products to other countries. It also requested the Secretary General, in cooperation with concerned agencies and bodies in the UN system, especially the WHO, to assist governments to exchange information and to submit a report through ECOSOC to the 35th General Assembly. The draft resolution was approved by the Third Committee on December 5 and was adopted by the General Assembly without a vote on December 17 as resolution 34/173.

On December 5, the United States, subsequently joined by 21 other sponsors, introduced a draft resolution entitled "International cooperation in drug abuse control." The U.S. Representative, David L. Cardwell, stated the conviction of his Government that the problems associated with illicit narcotics would not be solved until there was a global strategy for combating them—one in which all affected nations participated. The only organization capable of conceiving and carrying out such a plan is the United Nations. The draft resolution was a step toward such global cooperation, and failure to adopt it would impede useful progress in combating problems faced by all countries to one degree or another. An important feature of the draft resolution was its request that agencies and programs of the UN system should become more active in carrying out narcotic control activities. He went on to say that another important feature was the emphasis on illicit narcotics control in the context of economic consumption, or supply and demand. Economic assistance for development could play a critical role in reducing the supply of illicit narcotics by providing producers with an alternative source of income.

At the same meeting, the Committee approved the draft resolution without a vote, and on December 17, the General Assembly adopted resolution 34/177, also without a vote. The resolution, *inter alia*, (1) requested the Commission on Narcotic Drugs to finalize at its 1980

special session a meaningful drug abuse control strategy; (2) invited member states to take into account principles set forth by the Commission in allocating national resources to drug abuse control programs; (3) requested bodies within the UN system, the international financial institutions, and member Governments (within their bilateral and multilateral assistance programs) to consider providing assistance for implementing drug abuse control measures, particularly activities which promote new income sources that can be substituted for illicit production of narcotics and raw materials; and (4) reiterated its disappointment at the low level of financial assistance being provided UNFDAC and appealed for further contributions.

UN FUND FOR DRUG ABUSE CONTROL

For the year 1979 the UN Fund for Drug Abuse Control undertook program activities valued at \$6 million, the Fund's activities were broken down into two categories: (1) the regular activities, such as seminars for law enforcement, epidemiological research, and laboratory testing, and (2) the country programs.

There were indications in 1979 of growing financial difficulties for the Fund. Pledges and contributions during 1979, intended for 1980 programs, amounted to only \$4.6 million, including a \$3 million pledge by the United States. This was a decrease of \$2.7 million from 1978 contributions. Experts voiced concern that the reduced contributions could have a serious effect on developing new projects and continuing ongoing projects. Efforts were made in 1979 by the Executive Director of the Fund as well as by U.S. officials to increase contributions by national governments and private organizations.

During 1979, Congress passed legislation that limited the 1980 U.S. contribution to 25% of total contributions or \$3 million, whichever is less. Congressional sponsors hoped that this limitation would stimulate larger contributions by other countries. The Administration opposed this limitation on the grounds that it could signal diminished U.S. interest in drug abuse and thus lead to smaller contributions by other contributors. The Administration also argued that support for the Fund should be maintained at current levels because of its ability to conduct effective control programs in narcotics-producing countries where the United States has only limited or no ability, for political or security reasons, to operate bilaterally.

OTHER UN AGENCIES

Although UNFDAC is the main UN organization responsible for

implementing and developing drug abuse control programs, other UN agencies have also undertaken projects, within their respective mandates, in this field. Among these bodies are the World Health Organization (WHO), the United Nations Education, Scientific and Cultural Organization (UNESCO), the Food and Agriculture Organization (FAO), the International Labor Organization (ILO), and the United Nations Development Program (UNDP). The United States has encouraged this activity.

Crime Prevention and Control

After experiencing some problems in securing a site for the Sixth Congress on the Prevention of Crime and the Treatment of Offenders, the resumed second session of ECOSOC on November 8, 1979, accepted Venezuela's offer to host the Congress in Caracas from August 25 to September 5, 1980.

On May 9, ECOSOC also approved without vote the provisional rules of procedure for future congresses as recommended by the Committee on Crime Prevention and Control at its fifth session in 1978. (Decision 1979/25.) Also on May 9, a resolution proposed by the United States was adopted which requested the Secretary General to examine the possibility of temporarily deferring the move of the Crime Prevention and Criminal Justice Branch staff from New York during preparations for the Sixth Congress. (Resolution 1979/29.) In her statement, the U.S. Ambassador to ECOSOC, Melissa Wells, stressed that the United States supported transferring some Secretariat units to Vienna; her concern was solely to avoid disrupting effective preparations for the Congress.

The stage thus was set for the Sixth Congress: a draft provisional agenda had been approved by the Crime Committee earlier; provisional rules of procedure were now approved; regional preparatory meetings had been held in Bonn, Manila, San Jose (Costa Rica), and Addis Ababa (Ethiopia); the Secretariat was engaged in further preparations; and the venue was settled.

The membership on the Committee on Crime Prevention and Control was increased, by ECOSOC resolution 1979/30, from 15 to 27, with 6 seats allocated to Western European and Other States, a group which includes the United States. In May, ECOSOC elected all 27 members. Ronald L. Gainer, a Deputy Assistant Attorney General, was elected for the United States. In order to stagger election to the 4-year membership, with half the seats elected every other year, 14 elected members were chosen by lot for terms expiring December 31, 1982, with the others serving only until December 31, 1980. The U.S. member fell into the latter category.

Another ECOSOC resolution, adopted without vote, outlined in broad terms the main functions of the Committee. They include preparing for the quinquennial congresses on the prevention of crime and the treatment of offenders, preparation of programs for international cooperation, assistance to ECOSOC in the Committee's field, and professional discussions. (Resolution 1979/19.)

Two ECOSOC resolutions dealt with UN institutes and UN-affiliated institutes for the prevention of crime and the treatment of offenders.

The first, resolution 1979/20, requested the Secretary General to establish such an institute for Africa south of the Sahara; to make available regional and interregional advisers through UNDP; and to explore other means of providing technical assistance. Institutes presently exist in San Jose, Cairo, Rome, and Tokyo. The second resolution, 1979/21, requested the Secretary General to ensure permanent financial resources, in addition to other voluntary contributions provided by governmental and non-governmental sources, by placing the question before the UNDP and the UN regional commissions.

On December 17, the General Assembly adopted without vote two resolutions which had been recommended by the Third Committee.

The first resolution had been sponsored by 15 countries, including the United States, and requested the Secretary General to circulate to member states for comment a draft Code of Medical Ethics and to submit a report to the 35th General Assembly. (Resolution 34/168.)

The General Assembly adopted in resolution 34/169 a Code of Conduct for Law Enforcement Officials and recommended that governments consider using it in their national legislation or practice as a body of principles to be observed by their law enforcement officials. The two resolutions are discussed in more detail in the section on Human Rights and Fundamental Freedoms (see p. 166).

UN High Commissioner for Refugees

The Office of the UN High Commissioner for Refugees (UNHCR) was organized in 1951 and has as its primary function the responsibility for providing international legal protection to refugees. Its secondary function is to promote permanent solutions for refugee problems, mainly through resettlement programs, and to provide for interim and emergency care for refugees in places of temporary asylum. These responsibilities are carried out on behalf of refugees falling within the scope of the Statute of the Office adopted by the General Assembly in 1950. In general, the Statute applies to those persons who are outside their country of nationality because they

have well-founded fear of persecution and by reason of race, nationality, or political opinion and, because of such fear, are unable or unwilling to avail themselves of the protection of the government of that country. From time to time, the UNHCR undertakes special activities outside his mandate at the request of the Secretary General, often to assist persons dislocated within their own country as a consequence of manmade disasters. Poul Hartling, formerly Prime Minister of Denmark, was elected High Commissioner at the UN General Assembly in December 1977.

In accordance with General Assembly resolution 33/25, the Economic and Social Council, in 1979, elected nine additional members of the Executive Committee of the High Commissioner for Refugees. The Executive Committee of 40 states (Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Denmark, Finland, France, Federal Republic of Germany, Greece, Holy See, Iran, Israel, Italy, Japan, Lebanon, Lesotho, Madagascar, Morocco, Netherlands, Nicaragua, Nigeria, Norway, Sudan, Sweden, Switzerland, Tanzania, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United States, Venezuela, Yugoslavia, and Zaire) meets annually in Geneva to review the work of the UNHCR and to approve his regular budget. At this meeting the UNHCR also advises the Executive Committee on his special activities. The U.S. Representative at the 30th session, held in October 1979, was Ambassador Dick Clark, U.S. Coordinator for Refugee Affairs.

INTERNATIONAL LEGAL PROTECTION

The basic legal implements for protection are the 1951 Convention Relating to the Status of Refugees, which is restricted to persons who became refugees as a result of events occurring before 1951, and the 1967 Protocol, which removes the time limit on eligibility. By the end of 1979, 78 states were parties to one or both of the treaties. The United States is a party to the Protocol. However, a large geographic area of the world—most of Eastern Europe and mainland Asia—subscribes to neither. States acceding to these international treaties accept provisions explicitly prohibiting the return of a refugee, in any manner whatsoever, to any country in which his or her life or freedom would be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion. At the same time, however, the refugee has obligations to the country in which he finds himself and is required to conform to its laws and regulations as well as to the measures taken for the maintenance of public order.

The international protection of refugees includes ensuring that they are granted political asylum and that those who wish to return volun-

tarily to their country of origin may do so without penalty for having fled. To facilitate the reestablishment of refugees around the world, the UNHCR is also concerned with protecting the refugees' right to work, to practice their religion, and to receive social benefits under the law. In 1979 the task of providing legal protection to refugees increased in intensity as many thousands more fled from their countries of origin in Indochina and as other refugees in Africa and Latin America found their situations more perilous.

UNHCR PROGRAMS

During 1979 the UNHCR continued to be deeply involved in international assistance programs for many refugee groups throughout the world.

The organization's role in providing the care and maintenance and resettlement opportunities for Indochinese refugees expanded dramatically in 1979 as the Vietnamese Government assisted the departure of hundreds of thousands of its people. In the first half of the year, tens of thousands monthly took to boats, risking their lives in unsafe vessels to the hazards of the sea and pirates' attacks in order to seek asylum in Thailand, Malaysia, Indonesia, and Hong Kong. (Additionally, tens of thousands of other Vietnamese, almost wholly ethnic Chinese, found asylum and resettlement opportunities by walking from northern Vietnam into the People's Republic of China.) The exodus of these boat people evoked a special meeting on Indochinese refugees which was convened in Geneva under UNHCR auspices on July 20. As a result of monetary pledges and resettlement offers by the countries which attended the meeting, the refugees' situation improved noticeably during the year, but there remained more in camps of first asylum at the end of the year than at the year's beginning. The number of refugees in the camps at the opening of 1979, 198,000, rose to 284,000 by the year's end, although 192,000 Indochinese refugees had been resettled in the United States, Canada, Australia, France, and other European countries during the year.

In October, the ongoing warfare in Kampuchea and consequent malnutrition and famine drove hundreds of thousands of Khmer to seek food and asylum in Thailand. While UNICEF and the International Committee of the Red Cross supplied food and medical supplies to most of these people in border areas, about 160,000 were given safehaven in Thailand in UNHCR holding camps, pending a clarification of the situation within Kampuchea. It was hoped that as peace returned to Kampuchea, many of these people in the holding centers would seek to return voluntarily to Kampuchea rather than to seek resettlement in third countries.

A positive refugee-related development in Asia during the year was the successful completion of the UNHCR-supported repatriation program from Bangladesh to Burma. The last of the 200,000 persons who had crossed the Burmese border to Bangladesh in 1978 returned to their homes in remote frontier areas in Arakan in December.

About 25% of the UNHCR's program was devoted to assisting refugees in Africa, where the number in need reached 2.5 million persons in 1979. The UNHCR reports that its overall expenditure of funds in Africa in 1979 exceeded \$74 million. The largest single expenditure was in Zaire—almost \$16 million. Other major expenditures were made for refugees: in Angola, \$5 million; Botswana, \$4.4 million; Mozambique, \$6.6 million; Somalia, \$7.3 million; Sudan, \$4.9 million; Uganda, \$4.1 million; Tanzania, \$4.3 million; and Zanzibar, \$6.6 million. Expenditures in Zaire included funds from a special appeal for resettlement of Shaba refugees returning from Angola and other neighboring countries under amnesty. In total, material aid was provided to refugees in more than 24 African countries. The United States contributed \$21.3 million for the UNHCR's Africa program.

In cooperation with the Government of Pakistan, the UNHCR in the latter part of 1979 initiated a \$10 million assistance program for some 185,000 Afghan refugees in Pakistan.

Throughout 1979, the UNHCR also continued to assist refugees in Europe, the Middle East, and in other parts of the world.

Disaster Relief

The General Assembly's Fifth Committee, on October 26, 1979, approved a budget of \$4,442,000 for the UN Disaster Relief Office (UNDRO), including provision for the transfer of nine personnel positions to the assessed UN budget from a voluntary UNDRO Trust Fund. The United States voted against the transfer in accordance with its standing policy that there should be no program growth in the assessed budget. (The vote was 78 to 10 (U.S.), with 5 abstentions.) In an explanation of the vote, the U.S. Representative reiterated the strong support of the United States for UNDRO but cited strong reservations concerning the transfer of positions to the regular UN budget.

In other actions, the General Assembly adopted on November 29 a resolution previously approved by the Second Committee which, *inter alia*, (1) urged governments to cooperate more fully with UNDRO in reporting disaster relief donations given or received and in facilitating the work of UNDRO personnel, (2) called for contributions to the Trust Fund, and (3) requested additional funds from the

assessed budget for direct relief contributions by UNDRO. (Resolution 34/55.) The resolution was adopted by a vote of 120 to 0, with 15 abstentions (U.S.) The United States again objected to the transfer of costs to the regular budget.

The activities of UNDRO in 1979 included dispatching experts to disaster situations in the Caribbean (Jamaica and Dominica), Malawi, and Nepal. Experts to assist in predisaster planning were provided to Haiti, Central America, Yugoslavia, Malawi, Senegal, Zaire, Lesotho, Rwanda, and the Philippines. UNDRO made disaster relief grants to Mozambique, Madagascar, Senegal, Bolivia, Turkey, Solomon Islands, Indonesia, Tunisia, Fiji, and Egypt.

United Nations Children's Fund

The United Nations Children's Fund (UNICEF) was created in 1946 by the 1st UN General Assembly to provide emergency aid for children in Europe following the devastation of World War II. UNICEF today is engaged principally in stimulating and assisting the long-range development and welfare of children in the developing countries. UNICEF has its headquarters in New York and has offices in Geneva and in many of the 108 developing countries currently receiving aid. The UNICEF Secretariat is headed by an Executive Director who takes guidance from a policymaking Executive Board comprised of 30 nations⁷ one-third of whom are elected each year by ECOSOC.

The Executive Board is responsible for examining policy questions, approving proposed programs for individual countries as well as regional projects, and for reviewing and approving UNICEF's financial and budgetary activities. The Board meets annually in May. Although the usual meeting place is in New York, the 1979 Board met in Mexico City from May 21 to June 1 and combined the regular meeting with a special meeting on children in Latin America and the Caribbean region.

At the end of 1979, UNICEF's Executive Director, Henry R. Labouisse (U.S.), stepped down after 15 years; the UN Secretary General named James P. Grant (U.S.) the new Executive Director, beginning January 1, 1980. There have been only three Executive Directors, all Americans, since UNICEF's creation.

⁷ Members in 1979 were Afghanistan, Barbados, Brazil, Byelorussian S.S.R., Cameroon, Canada, Chile, France, Federal Republic of Germany, Ghana, India, Italy, Japan, Jordan, Morocco, Netherlands, Norway, Pakistan, Philippines, Poland, Senegal, Sweden, Switzerland, Tanzania, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zambia.

PROGRAM RESOURCES

During 1979 the Executive Board reviewed and approved new program commitments to be expended over the next 5 years totaling \$321 million. The actual program assistance given during 1979 came to \$239.8 million. Some \$18.7 million went for administrative services. In addition to the regular program commitments, the Board "noted" some \$78.7 million in projects which it considered suitable but for which funds were unavailable. The Board invited countries to make supplementary contributions for these projects.

Geographically, UNICEF's new commitments in 1979 were distributed as follows: \$51.9 million to Africa; \$140.1 million for East Asia and Pakistan (including \$31.0 million from special funds for Kampuchea); \$18.9 million for South Central Asia; \$22.6 million for the Eastern Mediterranean; \$19.9 million for the Americas; and \$.2 million for Europe.

UNICEF assisted 108 countries in 1979 with a total expenditure of \$259.4 million (including \$22 million in funds-in-trust). Some \$209.4 million went for programs, broken down into \$111.4 for maternal and child health (including family planning); \$34.2 for education; \$14.4 for child nutrition; \$15.9 for other general expenses, such as country planning and project preparation; \$12.4 for social welfare services; and \$21.1 for emergency relief. Program support services cost \$30.4 million, and administrative support services came to \$18.7 million.

In addition, as a result of action by the Secretary General, UNICEF was named the "lead" UN agency to deal with the human catastrophe in Kampuchea, where millions were on the verge of famine in the second half of 1979. In conjunction with the International Committee of the Red Cross (ICRC) and with the support of UN agencies such as the WFP and UNHCR, UNICEF was able to provide food, medical supplies, and some educational materials for the people of Kampuchea. Much of the supplies flowed through Thailand to refugees on the Kampuchean border. UNICEF expended \$18.4 million in this effort from special funds provided in answer to the Secretary General's appeal. The United States gave \$11.0 million to the special fund. The relief effort was continuing at year's end.

At the annual pledging conference for UNICEF held in New York on November 6, 1979, the United States was unable to pledge, pending the completion of legislative action. Pledges and expected pledges by other countries for 1980 totaled \$150.4 million.

ADMINISTRATIVE MATTERS

The Committee on Administration and Finance of the UNICEF Executive Board met for 2 days during the annual meeting to review

the financial reports for previous years and the UNICEF financial plan for 1978-82. The Committee approved the separate administrative services and program support budgets for 1980, as well as the budget for UNICEF's Greeting Card Operation. The Committee, as well as the plenary Board, reviewed and discussed the report on UNICEF, which the Board had asked Maurice Bertrand of the UN Joint Inspection Unit to make concerning UNICEF's management and financial operations. The report proposed guidelines to be elaborated in a second report due in 1980. The report concluded that a further improvement in programing and budget methods could be made over several years. It called for improving programing methods, presentations by function, a biennial budget cycle, and a search for better performance indicators.

INTERNATIONAL YEAR OF THE CHILD

The International Year of the Child (IYC) was celebrated during 1979 in over 170 countries and territories, both developed and developing. The Year's objectives were: (1) providing a framework for advocacy on behalf of children and for enhancing the awareness of the special needs of children on the part of decisionmakers and the public; (2) promoting recognition of the fact that programs for children should be an integral part of economic and social development plans. UNICEF was the lead agency for the UN system for the IYC, and the Executive Director of UNICEF was requested to report through ECOSOC to the General Assembly on the IYC.

This preliminary report summarizing worldwide activities in connection with the IYC was considered by the Executive Board in May and submitted to ECOSOC at its second regular session of 1979 together with extracts from the Board's report. On August 3, ECOSOC, without vote, adopted resolution 1979/57, which congratulated UNICEF on the discharge of its responsibilities and invited all governments to participate in the general debate on the IYC at the 34th UN General Assembly, with a view to finding specific ways to ensure adequate followup to the IYC.

The 34th General Assembly considered the IYC at seven meetings in plenary session between October 15 and 18. The Chairperson of the U.S. National Commission, Jean C. Young, spoke for the United States in the debate. In addition to reporting on U.S. activities during the IYC, Mrs. Young made a special appeal to all nations to provide help for the children of Kampuchea. She concluded by saying that "the United States Government supports a vigorous followup to the Year." On October 18, the General Assembly adopted without a vote a resolution which, *inter alia*, (1) urged governments to build upon the results of the IYC to achieve lasting benefits for children, (2)

recognized the importance of protecting and assisting the family as a basic unit of society and the natural environment for the development and welfare of all its members, (3) urged government to increase their flow of assistance to UNICEF, (4) continued the designation of UNICEF as the lead UN agency, and (5) requested governments to evaluate and followup on the impact of the Year in their countries as the basis for a report by the Secretary General to the 35th UN General Assembly in 1980. (Resolution 34/4.)

Social Development

The 26th Session of the ECOSOC Commission for Social Development was held in New York from February 20 to March 9, 1979.⁸ The U.S. Delegation was led by Dr. Ruth S. Morgenthau.

The biennial session had before it a broad range of topics which included, among others, the reinforcement of the social development sector within the UN, the review and appraisal of social progress and preparation for a new International Development Strategy (IDS), the position of disabled persons, and the mobilization of national resources for the purposes of social progress and development. The long list of agenda items meant that the Commission was not always able to give the problems as much attention as they deserved. The work of the Commission, however, was carried on with the usual degree of cooperation by the various participants. The meeting was an almost unqualified success for the United States, and the Commission handled its major task, that of providing advice to the Preparatory Committee for the IDS in a way that met U.S. objectives.

The meeting adopted 16 resolutions and 16 decisions. The United States did find it necessary to abstain on one resolution proposed by Mongolia on preparations for a new IDS strategy and stated a reservation while participating in the consensus on another resolution. The Mongolian resolution contained standard political propaganda that had already appeared in other UN documents. A hard line was taken on amendments and a roll call was called for, although this body had previously acted only by consensus. The vote was 17 to 0, with 6 (U.S.) abstentions.

The United States also encountered difficulty with a U.S.S.R. resolution on the Committee on Crime Prevention and Control which,

⁸ Members in 1979 were: Bolivia, Chad, Chile, Cyprus, Denmark, Dominican Republic, Ecuador, France, Grenada, Guinea, Hungary, India, Indonesia, Iraq, Italy, Lesotho, Madagascar, Mongolia, Netherlands, Nicaragua, Norway, Philippines, Poland, Romania, Senegal, Sierra Leone, Togo, Turkey, U.S.S.R., United Kingdom, and United States.

as originally presented, appeared to support a devolution of power to the Secretariat by giving the Committee a much greater area of responsibility. Italy appeared also to take the part of the Secretariat. As the Soviets were unwilling to amend their text sufficiently to meet the U.S. objections, the United States noted that the Committee on Crime was credited in the resolution with responsibilities it did not actually have, and that such changes should take place only after proper study and discussion. An important gain from the U.S. standpoint was the passage of a draft resolution by the Netherlands on the *Ad Hoc* Working Group of Experts to evaluate UN social development. This draft resolution received the approval of ECOSOC at the first regular session of 1979 when it was adopted on May 9 as E/Res/1979/18. The United States had initiated action for this group, to improve social development in the UN system, at the 24th Session of the Commission on Social Development in 1977. The Group is meeting in 1980.

By far the most important work of the Commission was to respond to a General Assembly mandate to advise the Preparatory Committee for the IDS on social development and welfare aspects of the 3rd UN Development Decade. The decision in its final form called for needed recognition of the hitherto neglected but vitally important social aspects of development, made a strong statement of the need for social welfare content in the IDS and laid heavy emphasis on the basic human needs approached (using the preferred G-77 term of "equitable distribution of the benefits of development"). A strong Soviet effort to force concessions or kill the decision led to a vote, 20 (U.S.) to 0, with 6 abstentions. This vote represented a clear break between the U.S.S.R. and a majority of the G-77.

INTERNATIONAL YOUTH YEAR

At the 33rd session of the General Assembly, it was decided to designate an international youth year. On the recommendation of the Third Committee, the General Assembly adopted by consensus resolution 34/151. The resolution designated 1985 as International Youth Year: Participation, Development, Peace. It also (1) decided to establish an Advisory Committee of 23 member states to be appointed by the Chairman of the Third Committee⁹; (2) called for the Secretary General to submit a draft program for the preparation and observance of the Year; and (3) appealed for voluntary contributions to supplement regular budget funds.

⁹ The Chairman of the Third Committee subsequently advised the Secretary General that unresolved disagreement among regional groups prevented him from making the appointments and said that such appointments would have to be taken up at the 35th General Assembly.

In discussions of the resolution, the United States expressed the view that in accordance with the Secretary General's policy of as close to zero net program growth as possible, funding for the cost of the Year should be found by eliminating marginal or obsolete programs.

WORLD ASSEMBLY ON THE ELDERLY

The United States had introduced in the 32nd General Assembly a resolution which called for the Secretary General to ascertain the views of the membership on the desirability of holding an International Year on Aging and a World Assembly. (Resolution 32/132.) Because of the importance attached to the question by the U.S. Congress, the United States introduced another resolution to the 33rd General Assembly calling for *inter alia*, a World Assembly on the Elderly in 1982 and decided to consider at a later date the feasibility of observing an international year of the elderly. (Resolution 33/52.)

On November 27, Malta, subsequently joined by 19 other states, including the United States, introduced a draft resolution entitled "Question of the elderly and the aged." The resolution, *inter alia* (1) recommended that governments consider developing priorities, policies, and programs for the aging, as well as measures aimed at ensuring full participation in the World Assembly on the Elderly in 1982; (2) requested concerned specialized agencies and organizations to assist governments in their preparatory activities for the World Assembly; and (3) requested the Secretary General to submit through ECOSOC a progress report to the 36th General Assembly. The draft was approved in the Third Committee by consensus and adopted, also by consensus, as resolution 34/153 in the plenary Assembly on December 17.

INTERNATIONAL YEAR OF DISABLED PERSONS

Resolution 31/123 of December 16, 1976, proclaimed the year 1981 the International Year for Disabled Persons. Libya introduced a draft resolution, ultimately sponsored by 49 countries, including the United States, which, *inter alia*, (1) approved the recommendations of the Advisory Committee for the Year and adopted them as the Plan of Action for the Year; (2) affirmed that the major forces of the Year would be at the national level; (3) appealed for voluntary contributions; and (4) invited member states to submit reports on their implementation of the Plan of Action and to consider elaborating national long-term programs in the field of disability.

The General Assembly adopted resolution 34/154 by consensus on December 17, as recommended by the Third Committee.

The United States was represented on the Advisory Committee for the International Year of Disabled Persons by Dr. Frank Bowe. By way of preparation for the Year, the White House directed the Secretaries of State and of Health, Education and Welfare to set up a Federal Interagency Committee to coordinate and encourage U.S. efforts in connection with the celebration of the Year. This Committee began work in October 1979.

WORLD SOCIAL SITUATION

On November 28, India, on behalf of the Group of 77, introduced two draft resolutions entitled "World social situation." The first noted the slow rate of implementing the Declaration on Social Progress; emphasized that rapid social progress of developing countries requires substantially increased multilateral and bilateral financial and/or technical contribution to national development efforts, adapted to new and appropriate technology and rendered within the framework of the development plans of developing countries; and requested the Secretary General to issue the report on the world social situation every 3 years, with such reports contributing to the identification and projection of emerging social issues of international concern and to the discussion of relationships among major development issues, which have both international and national dimensions. The second resolution requested the Secretary General to undertake appropriate measures for improving the methodology for the preparation of the report on the world social situation.

Speaking in the Third Committee, the U.S. Representative, Dr. Ruth Morgenthau, stated that she was pleased that the draft resolution made social development an integral part of the International Development Strategy. Resolution 34/152 A and B, approved in Committee and adopted in the plenary Assembly by consensus, was particularly noteworthy because it represented an increased willingness of the developing countries to accept the concept of their primary responsibility for ensuring the social progress and well-being of their people.

SCIENCE, TECHNOLOGY, AND RESEARCH

UN Environment Program

In response to a recommendation by the Conference on the Human Environment in Stockholm, June 1972, and pursuant to a General Assembly resolution of December 1972, the UN Environment Program (UNEP) was established January 1, 1973, in Nairobi, Kenya, to provide a focal point in the UN system for dealing with global and en-

vironmental problems. It is primarily a catalytic and coordinating program, utilizing its Environment Fund to provide seed money to launch or to support programs designed to fill gaps or improve performance in environmental programs operated mostly by other organizations within the UN system. The United States has attached particular importance to UNEP's: promotion of Earthwatch and the Global Environmental Monitoring System; International Register of Potentially Toxic Chemicals; regional seas programs designed to provide a coordinated and comprehensive attack on marine pollution problems; followup to the World Desertification conference; tropical deforestation initiatives; and development of international conservation agreements. A 58-member Governing Council¹⁰ provides policy and general guidance to the program.

The Governing Council met for its seventh session from April 18 to May 4, 1979, at UNEP headquarters in Nairobi, Kenya. The meeting was attended by delegations and observers from 75 member countries of the United Nations, representatives of UN agencies, regional commissions, and other organizations.

UNEP Executive Director Tolba's principal theme in his opening statement to the seventh UNEP Governing Council was the question of how to harmonize goals and policies for economic development with those of environmental protection and improvement.

Dr. Tolba posed a number of questions, such as how to convince decisionmakers that despite the high cost of environmental measures, the benefits were "enormous." These questions were closely associated with the issue of formulating a new international development strategy for the third UN development decade which, Dr. Tolba pointed out, was the "major issue facing the international community today."

He suggested that the Council's contribution could be made through an integrated approach, which would take into account the interrelationships between development, environment, population and resources; remedial approaches to environmental problems for Third World countries in relation to policies for overall development; and the need to preserve nonrenewable resources and to enhance the use of renewable resources. This approach would thus ensure that the strategy would be framed within a longer term perspective than the planned decade.

¹⁰ Members in 1979 were Algeria, Argentina, Australia, Austria, Bangladesh, Botswana, Brazil, Bulgaria, Burundi, Byelorussian S.S.R., Canada, Chad, China, Colombia, Denmark, France, German Democratic Republic, Federal Republic of Germany, Ghana, Guatemala, Guinea, India, Indonesia, Iran, Iraq, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Liberia, Libya, Malawi, Malaysia, Mexico, Netherlands, Norway, Pakistan, Panama, Philippines, Romania, Senegal, Spain, Syria, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom, Tanzania, U.S.S.R., United States, Uruguay, Venezuela, Yugoslavia, and Zaire.

The Executive Director of UNEP told the Council that methods must be developed to deal more adequately with the economic costs and benefits of development-related activities. He suggested that in this connection, the Governing Council could stress the need to make environmental assessment statements a prerequisite in development activities, particularly when these were bilaterally and multilaterally aided.

Dr. Tolba stressed that increased contributions to the environment fund of UNEP by governments are urgently required. The current level of estimated resources for implementing the 1978-81 medium-term plan was about \$119.5 million, as compared to the approved target figure of \$150 million.

The Governing Council reached a number of decisions, including (1) a request that the Executive Director convene an experts meeting on environmental assessment within Earthwatch and report on it at the eighth session; (2) appropriate measures, including financial support, to ensure continued cooperation with the ECE regional program for monitoring and evaluating the long-range transport of air pollutants until 1983; (3) a request that the Executive Director inform the Secretary General and the eighth WMO Congress that UNEP was willing to collaborate in implementing the subprogram of the World Climate Program, to study the impact of climate on human activities; (4) consultation with WMO and ICSU on developing a plan of action on carbon dioxide; (5) agreement to convene a meeting of experts on tropical forests; (6) authorization to the Executive director to continue to contribute to the UN Sahelian office within available resources of the Environment Fund; and (7) approval of a total 1979 appropriation of \$42.8 million for Fund program activities.

By the end of 1979, \$30,569,020 had been contributed by member states to the Environment Fund for that year, \$10 million of which represented the U.S. contribution.

Human Settlements Activities

The General Assembly in 1977, by its resolution 32/162, approved new institutional arrangements for international cooperation in the field of human settlements. The new organization converted ECOSOC's Committee on Housing, Building, and Planning into a 58-member Commission on Human Settlements and established a Center for Human Settlements (Habitat) as the Commission's secretariat and as a focal point and coordinator of UN activities for human settlements action. Habitat was created by consolidating the Center for Housing, Building, and Planning (a part of the UN Secretariat) and UN Habitat and Human Settlements Foundation

(attached to UNEP). The purpose of the new organization was to strengthen UN human settlements programs; to coordinate and stimulate human settlements programs in developing countries; and to assist in the areas of information, institution building, methodology, and training.

The second session of the Commission on Human Settlements was held in Nairobi, Kenya, from March 26 to April 6, 1979. The meeting approved, in principle, a system of program priorities pending a more detailed plan of action and financial analysis from the Habitat secretariat. The meeting recommended that the General Assembly urge UN member states to devote a greater share of national resources to strengthening human settlements activities and to devote a larger portion of bilateral and multilateral programs to human settlements development.

On December 14, the 34th General Assembly adopted by consensus a resolution, which had previously been approved by its Second Committee on November 23, incorporating the recommendations of the Commission. (Resolution 34/116.) On December 20 the Assembly, on the recommendation of the Fifth Committee, adopted a resolution by a vote of 122 to 10 (U.S.), with 6 abstentions, which requested the Secretary General to ensure the immediate availability of additional resources to implement the work program of Habitat at the regional level. (Resolution 34/229.) The United States voted against this resolution in accordance with its policy that there should be no program growth in the assessed budget of the UN.

Effects of Atomic Radiation

The UN Scientific Committee on the Effects of Atomic Radiation (UNSCEAR)¹¹ was established by the General Assembly in 1955 to provide continuous review and evaluation of the effects of ionizing radiation on humans and their environment. Radiation in this context covers both natural and manmade (i.e., from atmospheric and surface nuclear-weapons tests, nuclear power plants, and peaceful nuclear explosions), environmental radiation, and medical and occupational exposures.

Under its terms of reference, the Committee receives, assembles, and compiles reports and information furnished by its member states, members of the United Nations, Specialized Agencies, the IAEA, and nongovernmental organizations on observed levels of ionizing radiation and on scientific observations and experiments

¹¹ The members are Argentina, Australia, Belgium, Brazil, Canada, Czechoslovakia, Egypt, France, Federal Republic of Germany, India, Indonesia, Japan, Mexico, Peru, Poland, Sudan, Sweden, U.S.S.R., United Kingdom, and the United States.

relevant to the effects of ionizing radiation on man and his environment.

Since its establishment, the Committee has prepared and submitted to the UN General Assembly four comprehensive reports, and a fifth is being prepared for publication in 1981. In addition to collation and evaluation of the literature on radiation effects, UNSCEAR agreed in 1973 to evaluate the radiological hazards created by the testing activities of one country if asked to do so by a possibly injured neighboring country. To date, no such evaluations have been requested.

The 28th session of UNSCEAR met in Vienna June 11-15, 1979. The U.S. delegation was headed by the U.S. member of UNSCEAR, Dr. Robert D. Moseley, Professor of Radiology at the University of New Mexico, who was supported by scientific advisors from the Nuclear Regulatory Commission, National Laboratories of the Department of Energy, and others. The session was concerned almost exclusively with reviewing draft chapters of the fifth comprehensive report referred to above, which is due for publication in 1981.

UNSCEAR's report to the 34th General Assembly was considered by the Special Political Committee at two meetings, October 15-16. On October 16 the Committee approved without vote a draft resolution that endorsed the work of UNSCEAR and its request to member states to provide relevant information for review in connection with the comprehensive report under preparation. The General Assembly adopted the resolution without a vote on November 9. (Resolution 34/12.)

UN Conference on New and Renewable Sources of Energy

On December 20, 1978, the 33rd General Assembly adopted a resolution which decided to convene a UN Conference on New and Renewable Sources of Energy. In accordance with resolution 34/190, adopted December 18, 1979, by the 34th session of the General Assembly, the Conference is scheduled to take place in Nairobi during August 1981. These resolutions have set for the Conference the objectives of (1) analyzing the state of new and renewable energy technologies; (2) identifying the potential of various technologies; (3) assessing the economic viability of the technologies; (4) identifying measures for promoting development of these technologies; (5) identifying measures for transferring technologies to the developing countries; (6) promoting adequate information flows regarding all aspects

of new and renewable energy sources; and (7) examining the question of financing activities to utilize these energy sources.

Organizationally, the Conference has a conference secretary general and a secretariat; the Director General for Development and International Economic Cooperation will provide overall guidance on the input of other UN bodies. In addition, the Division of Natural Resources and Energy of the UN Secretariat is providing substantive support during the preparatory process.

Preparations for the Conference are centered around the work of eight technical panels. They are organized along functional (energy source) lines as follows: solar, biomass, wind, geothermal, shale/tars, hydropower, fuelwood, and ocean. Also, animal power and peat energy will be reviewed in separate studies. U.S. representatives have been selected to participate on seven panels that meet once in 1979-80 and for a second time in 1980-81. After the second meeting, the chairmen of the panels will meet with a view to preparing a synthesis report for the Conference to review. Panel members were selected on the basis of technical expertise as well as geographic distribution.

The ECOSOC Committee on Natural Resources was selected to be the preparatory committee for the Conference, with the proviso that it be open to all UN member countries. It is scheduled to meet twice in 1980. The first meeting will be primarily organizational in nature, with the second focusing on more substantive issues. Additional meetings in 1981 are likely.

The development, commercialization, and use of new energy technologies—particularly those that use renewable energy sources—have been the major emphases of U.S. domestic and international energy policy. Both industrial and developing countries share a common interest in developing alternatives to oil and in expanding indigenous energy production. Developing countries' interest also reflects a more general desire to increase their scientific and technological capabilities and to gain access at the lowest cost to the technology necessary for their socioeconomic development.

The 1981 UN Conference on New and Renewable Sources of Energy offers an opportunity for sustained multilateral discussions between and among industrial and developing countries on the present and future potential of new and renewable energy forms as well as the institutional mechanisms for intensifying national and global efforts in this field. The Conference can build on the Bonn and Tokyo Summit initiatives in energy cooperation with developing countries and can provide a vehicle for broadening discussions to include both oil importing and oil exporting developing countries as well as countries with centrally planned economies.

UN Conference on Science and Technology for Development

Concluding over 2 years' preparatory activities, the 2-week United Nations Conference on Science and Technology for Development was held in Vienna August 20-31, 1979. The agreements reached were embodied in the "Vienna Program of Action on Science and Technology for Development," which aims at maximizing the capacity of developing countries to absorb and use science and technology for the benefit of their peoples.

Over 4,000 representatives from more than 141 countries and numerous intergovernmental organizations and nongovernmental organizations attended the Conference. More than 150 speeches were made in the general debate, emphasizing the importance of building endogenous scientific and technical capacity in developing countries, including research and training institutions, as well as the need to overcome the imbalance between the scientific capacities of developing countries and those of developed countries. Other themes stressed by developing countries included the strengthening of international institutions, the brain drain, development of human resources, and access to Western technology.

The Conference established guidelines for future international cooperation in science and technology, as well as recommendations for national programs undertaken by the developing countries themselves to strengthen their expertise in science and technology. The Conference also reached agreement on proposals for restructuring and strengthening the work undertaken within the UN system on science and technology. More limited results were attained in response to developing country efforts to obtain better access to Western technology, as well as a commitment to major new financial transfers designed to build their endogenous capacity in science and technology. However, the Conference recommended establishing, on an interim basis, a new \$250 million science and technology fund, based on voluntary contributions and administered by UNDP. The Conference also recommended establishing an expert group to study proposals for long-term financial arrangements. The recommendations of the Conference were approved at the 34th session of the General Assembly by a resolution adopted without vote on December 19, which also established a new high-level Intergovernmental Committee on Science and Technology for Development as the central mechanism for following up on the recommendations made at the Conference. (Resolution 34/218.)

United Nations University

The UN University is jointly sponsored by UNESCO and the United Nations. Its charter was adopted by the General Assembly in 1973,¹² and the University became operational in 1975. Its purpose is to promote international understanding of global problems and to serve as a nexus for enhancing and coordinating efforts among the scholars, scientists, and institutions addressing these problems. It comprises a University Center in Tokyo for planning and program coordination and worldwide networks of associated academic and research institutions. It funds advanced training fellowships and multidisciplinary research projects, disseminates information on research being undertaken, and serves as a nongovernmental world forum for the discussion of global problems such as hunger, energy, and development.

The University is headed by a Rector, Dr. James M. Hester (U.S.), whose term expires August 31, 1980, and it is governed by a Council of distinguished educators and scientists, appointed by the Secretary General, who serve in a personal capacity for a 6-year term. During 1979, the Council formed a nominating committee to recommend candidates for a Rector to the Secretary General and the Director General of UNESCO. (The Rector is appointed by the Secretary General with the concurrence of the UNESCO Director General.) The United States chose not to propose any U.S. candidates to replace Dr. Hester.¹³

The UN University supports three major programs: the World Hunger Program, the Human and Social Development Program, and the Program on the Use and Management of Natural Resources. Two means of supporting the efforts being made in these areas are particularly important: association agreements with existing institutions and collaborative networks among researchers working on common problems. During 1979, the University signed association agreements with nine more institutions to conduct advanced training and research. This brought the total number of associated institutions to 23, consisting of 15 in developing countries and 8 in industrialized countries. Of the 16 collaborative networks now in operation, 4 deal with world hunger problems, 5 with human social and development issues, and 7 with natural resources matters.

The University disseminates information about its programs and activities through a bimonthly newsletter, a variety of reports and technical workshops, and a series of consultative meetings that were initiated in 1976 to acquaint the worldwide academic community

¹² Resolution 3081 (XXVIII), December 6, 1973.

¹³ On April 10, 1980, the Secretary General announced the appointment of K. Soedjatmoko of Indonesia to succeed Dr. Hester as Rector of the UN University.

with the nature of the University. The last two in this series of 14 meetings were held in Accra and Nairobi in March 1979. They were attended by 150 academic and government leaders from 22 African nations.

There was a significant increase in the University's publications program during 1979. The institution launched two new periodicals: the quarterly *Food and Nutrition Bulletin* and the monthly *ASSET (Abstracts of Selected Solar Energy Technology)*. As the results of its initial research activities became available, the University also issued 30 other publications, including the first technical report of the World Hunger Program (on protein energy requirements in developing countries) and the first of a series on the Japanese technology transfer experience.

The UN University is financed primarily by interest income derived from an endowment fund. During 1979 the institution managed to attain financial self-sufficiency, enabling it to maintain important activities on a modest scale. Altogether, 26 governments have now pledged or contributed a total of \$143 million to the endowment and operating funds of the University. The total annual budget of the University in 1979 was \$10.2 million, which included \$7.2 million in interest from the Endowment Fund. An annual budget of \$25 million has been set as the financial goal of the institution.

With \$80 million of its \$100 million pledge paid into the Endowment Fund, Japan continues to lead all contributors by a wide margin. Other major donors include Venezuela (\$10 million pledged), Saudi Arabia (\$5 million), Sudan (\$5 million), Ghana (\$2.5 million), and Senegal (\$1 million). Major new pledges to the University in 1979 included \$10 million from the United Kingdom and \$4.4 million from the Federal Republic of Germany. On the part of the United States, President Carter launched a strong but unsuccessful effort to obtain an appropriation for the University for 1979. In light of the clear expression of congressional intent to forego making a U.S. contribution, efforts to seek such funding were not renewed for the years 1980 or 1981.

On December 1, Japan introduced a draft resolution, subsequently sponsored by 16 additional countries, entitled "United Nations University." The draft was approved by consensus on the same date in Committee and adopted by the General Assembly, also by consensus, on December 14 as resolution 34/112. Among other things, the resolution (1) recognized the major activities of the University to be especially concerned with the problems and institutions in developing countries; (2) noted that while fundraising had progressed in the past year, results were not sufficient to support University programs adequately; (3) urged the Secretary General, the Director General of UNESCO, and the University Rector to increase their efforts to ob-

tain financial support; and (4) invited the University Council to consider suggestions contained in the joint report of the Secretary General and the UNESCO Director General relevant to the means of promoting University programs, as well as establishing a more stable financial situation, and submit their findings to the 35th General Assembly.

University for Peace

In response to a proposal by the President of Costa Rica at the 33rd session of the General Assembly, resolution 33/109 of December 18, 1978, authorized the Secretary General to seek the views of member states and interested UN agencies regarding the advisability of establishing a specialized postgraduate research institute, to be known as the University for Peace. Following the Secretary General's report on the results of the survey, which indicated general support for the concept, the General Assembly adopted resolution 34/111 by consensus on December 14, 1979, approving the idea of establishing a University for Peace and authorizing formation of an international preparatory commission for the institution. The Commission is tasked with addressing organizational questions such as the relation of the University for Peace to the United Nations University, avoiding duplication of effort with any other international institutions, and preventing deleterious financial effects on the United Nations or the UN University as a result of funding contributions to the University for Peace. The commission will report to the Secretary General in time for the matter to be reviewed at the 35th General Assembly.

UN Institute for Training and Research

In December 1963 the UN General Assembly authorized the Secretary General to establish the UN Institute for Training and Research (UNITAR) as an autonomous institution within the UN framework. The Institute came into being in March 1965 with the convening of the Board of Trustees and appointment of the first Executive Director. The Institute's Statute was promulgated by the Secretary General in 1965 and was approved by the General Assembly on December 8, 1965. (A/Res/2044(XX).)

Presently, UNITAR has three main programs: a research department attuned to the current needs and interests of the international community; training courses and seminars developed for diplomats accredited to the United Nations and Secretariat personnel; and the

Project for the Future concerned with long-term policy choices for the United Nations.

The UNITAR Board of Trustees, which sets overall policies and budget, is composed of individuals serving in their private capacities appointed by the Secretary General on a broad geographic basis. Effective July 1, 1979, the statute of UNITAR was amended, making a third of the Board's membership subject to appointment every 3 years. After 1982, no Board member shall serve continuously for more than two 3-year terms. The current Board is now composed of 24 members and has four *ex officio* members: the Secretary General, the President of the General Assembly, the President of ECOSOC, and the Executive Director of UNITAR, Dr. Davidson Nicol of Sierra Leone. Harvey Picker, Dean of the Faculty of International Studies at Columbia University, is a member of the Board.

At its 18th session held in New York, September 11-14, 1979, the Board of Trustees reviewed the work program and budget for 1980 and expressed appreciation for their practical value and forward-looking approach. The Board received from the Executive Director a 1980 budget estimate of \$2,198,160 in expenditures from the General Fund, slightly less than the income from this source, and a projected \$2,643,985 in special grants. The United States contributed \$500,000 to UNITAR in 1979 and pledged the same amount for 1980.

UNITAR's department of research conducts two programs that address different aspects of global change: the program on the United Nations and the new international economic order (NIEO) and the program on international law, diplomacy, and security. During 1979, UNITAR published five studies under the two programs. They focused on the role of women, regionalism, multilateral development cooperation, development banking, and national parliaments. In addition, 22 other projects were initiated or at various stages of completion during the year.

UNITAR's research department publishes a series, *Science and Technology for Development*, and contributes papers to various professional publications and forums.

The Project on the Future is focused on four major subprojects: technology, domestic distribution and North-South relations; regional approaches to the problems of the future; progress in the establishment of NIEO; and energy and natural resources. Each sub-project produces studies and reports on appropriate topics and hosts seminars and conferences. For example, from June 4 to 12, 1979, UNITAR sponsored a conference on heavy crude oil and oil sands in Edmonton, Canada where new technologies in the field were released for the first time. The Project on the Future also publishes the bulletin *Important for the Future*, which serves as a forum for articles on energy, agriculture, nutrition, and technological and environmental problems.

During the period July 1978 until June 1979, UNITAR's training department offered 18 series of seminars, including ones on the law of the sea, international economics for diplomats, financing the United Nations in the world order. UNITAR's training programs had 647 participants in this time frame. UNITAR has dispersed its training seminars in order to reach more people.

Acting upon the report of its Second Committee, on November 8, 1979, the General Assembly adopted by consensus resolution 34/17 which welcomed UNITAR's emphasis and urged continuation of UNITAR's work in economic and social training and research, including specific projects on problems recognized by the General Assembly's sixth and seventh special sessions. The resolution further urged greater and wider financial support for UNITAR.

HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

The annual cycle of UN human rights activities began in 1979 with the 35th regular session of the Commission on Human Rights, which met in Geneva February 12–March 16, 1979. The Commission session was followed by the 1st regular session, 1979, of the Economic and Social Council, which met in New York April 10–May 11, 1979. Finally, human rights issues predominated in the agenda of the Third Committee of the 34th regular session of the United Nations General Assembly, which met in New York September 17, 1979, to January 7, 1980.

The 32nd session of the Subcommission on Prevention of Discrimination and Protection of Minorities, an expert group which reports to the Commission on Human Rights, met in Geneva August 20–September 7, 1979.

Overall Analysis of Human Rights Programs

This subject was the major item on the agenda of the 35th session of the Commission on Human Rights. A special working group of the Commission met for 1 week prior to the regular Commission session and continued its deliberations throughout the course of the 35th session. The group focused on two principal areas: (a) the program and methods of work of the Commission, and (b) an overall analysis of the alternative approaches and ways and means within the UN system for improving the effective enjoyment of human rights and fundamental freedoms. This latter portion of the working group's task was undertaken pursuant to the request made to the Commission by the General Assembly in its resolution 32/130. In this resolution, the

General Assembly had laid down a number of concepts which it decided should be taken into account in approaching the future work within the United Nations system with respect to human rights questions. The long and arduous negotiations which were conducted within the working group, in which the U.S. Representative, Edward M. Mezvinsky, was an active participant, finally led to consensus agreement upon a complex resolution, 22 (XXXV) of the Commission, which contained a number of important elements, as follows: (a) The terms of reference of the Human Rights Commission were reaffirmed as they had been originally laid down by the Economic and Social Council in 1946, except that a role for the Commission to assist the Economic and Social Council in coordinating the human rights activities of the United Nations was specifically added; (b) the membership of the Commission on Human Rights was increased from 32 to 43 members; (c) regular meetings of the Commission on Human Rights were extended from 5 to 6 weeks each year, with an additional week for meetings of working groups; (d) the need for the Commission to hold special sessions in order to complete unfinished business was recognized; (e) the institution of a procedure for convening meetings of the Bureau of the Commission in intersessional periods in exceptional circumstances was begun; (f) the preparatory work for improving the coordination of the human rights activities of the United Nations was authorized; (g) an examination of the adequacy of the staffing and resources of the human rights sector of the Secretariat was requested of the Secretary General; (h) annual sessions of the Subcommission on Prevention of Discrimination and Protection of Minorities were extended to 4 weeks; and (i) the inability to reach agreement on establishing the post of United Nations High Commissioner for Human Rights was noted.

At the 1st regular session of the Economic and Social Council, 1979, the resolution as proposed by the Commission on Human Rights was endorsed by ECOSOC by consensus. (E/Res/1979/36.)

At the 34th General Assembly, the subject of alternative approaches and ways and means within the UN system for improving the effective enjoyment of human rights and fundamental freedoms again proved to be one of the human rights items which received an unusual amount of attention. In the Third Committee, the item gave rise to four draft resolutions. One resolution proposed by Cuba and a large number of non-aligned countries was designed to present the General Assembly's reaction to the work accomplished by the Commission on Human Rights in response to resolution 32/130 and to offer further guidance to the Commission as it continued its ongoing work on the overall analysis with a view to further promoting and improving human rights and fundamental freedoms. The resolution as proposed by Cuba and its cosponsors contained a number of provi-

sions that went beyond the consensus views embodied in the Commission's resolution 22 (XXXV) on the overall analysis and reflected the more extreme viewpoint of the cosponsoring states. In particular, the United States found objectionable three operative paragraphs that (1) dealt with the right to work and the guaranteed participation of workers in management; (2) gave an ambiguous content to a new right to development as a human right; and (3) called for the Secretary General to prepare a study on the nature and extent to which the realization of human rights and fundamental freedoms is affected by "present international conditions." The latter paragraph had particular reference to a number of conditions tendentiously described in exaggerated rhetoric, such as colonialism, neo-colonialism, imperialism, foreign domination and occupation, and the unjust system of international economic relations.

In spite of strenuous efforts made by the United States and other Western countries that participated to achieve a resolution that could be adopted by consensus, the cosponsors were unwilling to participate in acceptable compromises. The Committee vote on November 6 was 132 to 1 (U.S.), with 9 abstentions. Resolution 34/46 was subsequently adopted by the Assembly by a vote of 136 to 1 (U.S.), with 7 abstentions.

A second resolution under the item on alternative approaches was proposed by Italy. This resolution had as its purpose the endorsement by the General Assembly of the idea of elevating the Secretariat unit dealing with human rights, the Division of Human Rights, to a Center for Human Rights, the head of which should be an Assistant Secretary General. After discussion of the resolution in Third Committee and modification of its terms by the sponsor in response to numerous suggestions, on November 7 the revised resolution was approved in the Third Committee by a vote of 86 (U.S.) to 0, with 49 abstentions. Among other things, the resolution requested the Secretary General to consider the redesignation of the Division of Human Rights as a Center for Human Rights in light of views to be expressed at the 36th session of the Human Rights Commission. The Secretary General was further invited to ensure that adequate financial and other resources were allocated to the sector in the Secretariat concerned with human rights, based on the results of a study to be conducted by the Commission on Human Rights. (In a related provision, the General Assembly, in resolution 34/46, has requested that the Commission on Human Rights at its 36th session study the adequacy of the human and other resources at the disposal of the Division of Human Rights.) Resolution 34/47 was subsequently adopted by the Assembly on November 23 by a vote of 103 (U.S.) to 0, with 39 abstentions.

A third resolution, as proposed by Canada, would have invited the

Secretary General to appoint a Special Representative for Human Rights and Humanitarian Affairs at a level of Under Secretary General. This official would have been designated to carry out such tasks in the field of human rights, including good offices, as the Secretary General might have determined in accordance with the UN Charter. After some discussion in the Third Committee, Canada withdrew its draft resolution.

High Commissioner for Human Rights

Another resolution was put forward by Costa Rica and Uganda dealing with the proposal for a High Commissioner for Human Rights. This resolution, procedural in nature, took note of the fact that the Commission on Human Rights had been unable to make a thorough evaluation of the proposal to create a post of High Commissioner and therefore decided to consider at the 35th General Assembly the question of creating the High Commissioner post under the agenda item on "alternative approaches."

The Third Committee vote on the draft resolution was 60 (U.S.) to 28, with 44 abstentions. The Assembly vote was 72 (U.S.) to 26, with 40 abstentions. (Resolution 34/48.) Since the resolution once again postponed consideration of the subject, it can be read as a rough indication of the strength of the sentiment for and against the High Commissioner proposal.

National Institutions

The 35th session of the Commission on Human Rights dealt with the importance of national institutions in the field of human rights under an agenda item entitled the "Further promotion and encouragement of human rights and fundamental freedoms." The question of national institutions is a subject which India has recently actively pursued. At the 35th Commission session, India proposed a draft resolution, which was adopted by consensus. In its principal operative paragraph, resolution 24(XXXV) endorsed the guidelines on the structure and functioning of national institutions for the promotion and protection of human rights that were contained in the report of the Seminar on National and Local Human Rights Institutions, which had been held in September 1978 under the Human Rights Advisory Services Program. The Secretary General was requested to transmit the guidelines to all member states and to invite governments to inform the Commission of the extent to which such national institutions already exist or are planned in the future. Fi-

nally, the Commission decided to consider the question of national human rights institutions every 3 years and to recommend to the General Assembly that the Assembly schedule a discussion of national human rights institutions for its 36th session.

At the 34th General Assembly, India and a number of other cosponsors proposed a followup resolution. Resolution 34/49, approved by consensus in the Third Committee on November 9 and adopted by the General Assembly by consensus on November 23, repeated the invitation made previously by the General Assembly that all member states take appropriate steps to establish national institutions and called for additional materials to be prepared. These materials would serve as a basis for consideration when the General Assembly discussed the subject of national institutions, which the Assembly decided to include in the agenda of its 36th session.

Violations of Human Rights

A recurring item on the agendas of the annual sessions of the Commission on Human Rights carries the heading "Question of the violation of human rights and fundamental freedoms in any part of the world . . ." In recent years this topic has grown to be the major item on the Commission's agenda in terms of time allotted to it and the broad content of the debate. This is because the item allows for discussion of any situation of human rights violations which may have occurred anywhere in the world. A subitem covers the confidential proceedings of the Commission pursuant to E/Res/1503 (XLVIII). This is the resolution that authorizes the Commission to act upon cases referred to it by its Subcommission which appear, on the basis of private communications, to reveal consistent patterns of gross and reliably attested violations of human rights.

At its 35th session, the Commission took decisions under the confidential 1503 procedures concerning Bolivia, Burma, Ethiopia, Indonesia, Malawi, Paraguay, the Republic of Korea, Uganda, and Uruguay. While Commission procedures on these cases were confidential, the Commission followed the practice of permitting its Chairman to identify in public session those countries with respect to which decisions were taken. The Chairman also made an announcement that constituted an important precedent in the Commission's proceedings under E/Res/1503(XLVIII). The Commission at previous sessions had been considering the human rights situation in Equatorial Guinea. Because of the unsatisfactory nature of the response of the government of that country to the Commission's efforts to bring about an improvement of the human rights situation there, the Commission decided that it had no alternative but to

remove further consideration of the situation from confidential to public procedures.

In public session under this item the principal issue related to violations of human rights in Democratic Kampuchea. At its previous session the Commission had sought to prepare for its further consideration of the situation in Democratic Kampuchea by asking the Secretary General to gather material on the situation in that country and to have it analyzed by the Subcommittee on Prevention of Discrimination and Protection of Minorities. At the 35th session, the Commission heard the Chairman of the Subcommittee present the analysis of the materials received in the course of the year. The Subcommittee Chairman expressed the hope that the Commission would condemn the systematic and gross violations of human rights which, in his opinion, according to the materials analyzed by him, had taken place in Democratic Kampuchea. In response to this presentation, a number of Western countries, led by Canada, proposed a draft resolution which would have found that gross and flagrant violations of human rights had occurred in Democratic Kampuchea and would have had the Commission decide to keep the situation in that country under review and to continue to receive material on the subject through its Subcommittee. The Canadian draft resolution unfortunately was not put to the vote because of the sentiment held in the Commission by most of the non-aligned countries, which were against having the Commission pronounce itself upon the situation in Democratic Kampuchea. Informally, most of these delegations explained their opposition to Commission action on this matter as having been prompted by the confused political situation in that country which had come about as a result of the aggression committed by Vietnam. The non-aligned countries proposed a draft decision according to which the analysis of the information concerning Democratic Kampuchea would be postponed until the Commission's 36th session. This draft decision was adopted by a vote of 20 to 10 (U.S.), with 2 abstentions. (Decision 6 (XXXV).) A subsequent procedural motion not to take a vote on the draft resolution proposed by Canada and other Western countries was adopted by a vote of 22 to 7 (U.S.), with 3 abstentions. This decision was deeply regretted by the U.S. Representative, Edward M. Mezvinsky, who stated that the great volume of eyewitness reports concerning the abuses of human rights in Kampuchea documented beyond doubt that abuses there must be described as the worst in the world. He noted that in addition to the great sufferings already afflicting the Kampuchean people, there had been added the new cruelties of foreign occupation and war.

Turning to other situations of human rights violations, the Commission adopted by a vote of 23 (U.S.) to 0, with 6 abstentions, a draft

resolution sponsored by Cuba and Venezuela that requested the Secretary General to keep the situation of human rights in Nicaragua under review and to submit a report on the subject matter to the Commission's 36th session. (Resolution 14 (XXXV).)

An initiative taken by Canada, which would have focused upon situations involving large-scale exoduses in certain states and territories in order to determine the possible relationship between violations of human rights and these exoduses, was briefly debated. However, in view of amendments proposed by the Syrian Arab Republic which would, if adopted, have adversely affected the basic global thrust of the Canadian draft by limiting its terms to specific refugees situations in Palestine and southern Africa, Canada decided to consult further on the draft resolution and pursue it again at the 36th Commission session.

Two related resolutions concerning Western Sahara and the Camps of Tindouf and the adjacent area, the first sponsored by Algeria and 8 other countries and the second introduced by Morocco and sponsored by 3 other countries, highlighted the existing difficulties between the two principal sponsors over the Western Sahara. The Commission decided to postpone considering the two draft resolutions until its 36th session. (Decision 7 (XXXV).) The Commission also adopted without a vote a telegram, which was jointly sponsored by Cuba, Colombia, Peru, and Panama, addressed to the Government of Guatemala noting its concern over the assassination of Dr. Alberto Fuentes Mohr, Deputy of the Guatemalan Congress and ex-Minister of Foreign Affairs and Finance. (Decision 12 (XXXV).)

Reacting to the Commission's decision to consider further the situation of human rights in Equatorial Guinea in public session, Canada submitted a draft resolution that called for appointing a Special Rapporteur to make a thorough study of the human rights situation in Equatorial Guinea and to report to the 36th Commission session. Resolution 15 (XXXV) was adopted by a vote of 20 (U.S.) to 3, with 9 abstentions. The negative votes came from the delegations of the U.S.S.R., Poland, and Bulgaria.

Finally, with respect to the question of human rights in Cyprus, the Commission endorsed the proposal made by its Chairman, that debate be postponed to the next Commission session. The postponement decision was reached through consultations conducted in private by the "interested parties." (Decision 5 (XXXV).)

Human Rights in Chile

The question of reported violations of human rights in Chile has been considered by the Commission on Human Rights since it was

first raised at its 30th session in 1974. At its 31st session, the Commission appointed an *Ad Hoc* Working Group which, since that time, has issued annual reports to the Commission on the state of human rights in Chile. In July 1978, members of the Working Group were finally able to make a visit to Chile. Consequently, at the General Assembly session that year, the Assembly in its resolution 33/175 invited the Commission on Human Rights to substitute for the *Ad Hoc* Working Group a Special Rapporteur and to consider as well the most effective ways of dealing with the problem of missing and disappeared persons in Chile.

At the 35th Commission session, Sweden introduced a resolution that was based in part upon the findings of the report of the *Ad Hoc* Working Group and which also responded to the invitation made to the Commission by the General Assembly. The resolution, as proposed by Sweden, while acknowledging that the present situation of human rights in Chile has improved, expressed continued indignation at the fact that violations of human rights, often of a grave nature, continue to take place. A special paragraph recorded the Commission's shock over the discovery of bodies in mass graves in Chile. In addition to repeating previous calls addressed to the Chilean authorities to restore human rights in Chile through various measures listed in the draft resolution, the Commission decided not to renew the mandate of its *Ad Hoc* Working Group but instead to appoint a Special Rapporteur, Mr. Abdoulaye Dieye,¹⁴ to continue the inquiry into the present situation of human rights in Chile with the same mandate as that originally conferred upon the *Ad Hoc* Working Group.

The Commission authorized the Chairman to appoint two experts, to act in their individual capacities, as members of the Commission¹⁵ to study the question of the fate of missing and disappeared persons in Chile. The Swedish draft resolution was adopted by a vote of 24 (U.S.) to 2, with 6 abstentions. (Resolution 11 (XXXV).) In explaining the U.S. vote in favor of the draft resolution, Mr. Mezvinsky expressed appreciation for the work accomplished by the *Ad Hoc* Working Group and expressed his agreement with the group's findings that, in spite of improvements in the human rights situation in Chile, violations of human rights continue to take place in that country. He stressed that the Commission's goal was to promote and protect those basic human rights proclaimed in the Universal Declaration of Human Rights. He stated that:

¹⁴ Mr. Abdoulaye Dieye has served as a member of the *Ad Hoc* Working Group since its establishment in March 1975. Mr. Dieye has served as Alternate Representative of Senegal to the Commission on Human Rights.

¹⁵ Mr. Felix Ermacora (Austria) and Mr. Waleed M. Sadi (Jordan).

We must remember that we are here today, as a Commission—not simply to condemn—but to speak and act for the benefit of each and every person in Chile. Therefore, it is necessary for the United Nations to maintain its vigilance until there is full and complete restoration of all human rights and fundamental freedoms in Chile.

The question of human rights in Chile was also considered at the 34th General Assembly. The Third Committee had as a basic document for its discussion the first report prepared by the Special Rapporteur appointed earlier in the year by the Commission on Human Rights. There was also before the Committee a report submitted by Mr. Felix Ermacora, the expert on the question of the fate of missing and disappeared persons in Chile. (As noted above, the Commission had appointed two experts; one of the two was unable to undertake his functions.) The discussion culminated in the Committee's considering two draft resolutions, one with three sponsors—Denmark, Netherlands, and Sweden—and another sponsored by Algeria, Cuba, Mexico, and Yugoslavia. As a consequence of certain revisions introduced in the three-power resolution, the competing resolution was withdrawn. In its revised form, the draft resolution expressed the Assembly's regret that the Chilean authorities had refused to cooperate with the Special Rapporteur and the experts appointed by the Commission on Human Rights; noted that both reports indicated that generally the situation of human rights in Chile had not improved and even in a number of areas had deteriorated compared with the last report of the *Ad Hoc* Working Group; expressed the Assembly's concern at the deterioration in a number of areas; listed those measures that the Chilean authorities were urged to take to improve the human rights situation in that country; and invited the Commission on Human Rights to continue to give close attention to the human rights situation in Chile and to extend the mandate of the Special Rapporteur as well as to consider further the most effective ways for clarifying the whereabouts and fate of missing and disappeared persons in Chile. This resolution was approved on December 5 by the Third Committee by a vote of 93 (U.S.) to 6, with 28 abstentions. In his explanation of the vote in the Third Committee, the U.S. Representative, Norman T. Shaft, expressed reservations about the accuracy of certain statements in the resolution to the effect that there had been a deterioration since the last report in several categories of human rights practices. He said that while the U.S. Government continued to believe that there is much need for improvement in the observance of human rights in Chile, it also believed that there had been improvements during the last year that should be recognized. He expressed the continuing support of his government for the efforts of the United Nations and others to call upon the Chilean authorities to bring about further and continuing improvements. The resolution was subsequently adopted in plenary ses-

sion on December 17 by a vote of 96 (U.S.) to 6, with 33 abstentions. (Resolution 34/179.)

A related resolution also cosponsored by Denmark, the Netherlands, and Sweden dealt with the United Nations Trust Fund for Chile. This resolution took note of the fact that some contributions to the UN Trust Fund for Chile had been made since its establishment by the General Assembly in December 1978 and appealed for more. On December 5, the vote on this resolution in the Third Committee was 81 to 5, with 36 (U.S.) abstentions. The U.S. abstention was due to the position previously announced by the United States when the Trust Fund was established, opposing the proliferation of special funds for each human rights problem area in favor of a general fund that would support victims of human rights violations throughout the world. On December 17, the vote in plenary session on the resolution was 89 to 5, with 39 (U.S.) abstentions. (Resolution 34/176.)

Human Rights of Persons Under Detention

A shockingly pervasive, gross violation of human rights troubling the world today is that of torture and other cruel, inhuman, or degrading treatment or punishment. Because of the gravity of the situation, the UN human rights organs have in recent years devoted increasing attention to developing measures to strengthen protections against torture. The focus of attention presently in the Commission on Human Rights in this area is on drafting a convention. Work on the draft convention was begun at the Commission's 34th session and continued at its 35th session. As a working document, the Commission has used a draft convention proposed by Sweden. A working group of the Commission met prior to the opening of the Commission session, and its work was carried on throughout the 35th session by a sessional working group. Encouraging progress was achieved in the working group, in which the United States was one of the most active participants. The group reported the adoption of four substantive articles of the draft convention, including one of the most difficult articles, that defining the term "torture."¹⁶ An issue which was not settled was the extent to which the convention should cover other forms of cruel, inhuman, or degrading treatment or punishment. The Commission's discussion of the draft convention culminated in the adoption of a resolution presented by Sweden calling for establishing another pre-sessional working group and attaching high priority to considering the draft convention at the 36th Commission session. The Swedish draft resolution was adopted by a vote of 29 (U.S.) to 0, with 3 abstentions. (Resolution 18 (XXXV).)

¹⁶ See also p. 166.

Acting under the item relating to the treatment of persons under detention, the Commission also adopted a resolution, forwarding the Body of Principles for the Protection of All Persons Under Any Form of Detention and Imprisonment, for comment by governments. These principles had been prepared at the request of the Commission by its Subcommission on Prevention of Discrimination and Protection of Minorities, under the leadership of the Subcommission's expert from Austria, Erik Nettel. The Commission suggested that the comments of governments be sought to enable the General Assembly at its 35th session to consider the adoption of the principles. Resolution 17 (XX-XV) was adopted without a vote.

Disappeared Persons

Finally, under the detained persons item, the Commission took up the question of disappeared persons. The anguishing and widespread human rights abuse of the disappeared persons had been addressed at the 33rd General Assembly in resolution 33/173. Among its operative paragraphs was one which was addressed to the Commission on Human Rights. The General Assembly requested the Commission to consider the question of disappeared persons with a view to making appropriate recommendations. In undertaking to respond to the General Assembly's request, the Commission debated two draft resolutions proposed by a number of Western governments, led by Australia and Canada.

In one draft resolution of a general nature, it was proposed that the Subcommission on Discrimination and Minorities consider information "from all relevant sources" concerning the cases of enforced or involuntary disappearances and present to the Commission at its 36th session an analysis of this information. Another resolution addressed the specific problem of the missing and disappeared persons in Argentina and requested information on this subject, again through its Subcommission. Amendments to this latter resolution were proposed by Argentina, supported by a number of non-aligned delegations. The amendments were designed to generalize the draft relating to Argentina and to limit the information to be analyzed by the Subcommission to that supplied by governments. Following unfruitful attempts to reach a compromise on the two resolutions and the amendments, the Commission finally decided, because of lack of time, to refer all the proposals to its 36th session.

At the 1st regular session of the Economic and Social Council, 1979, the matter of disappeared persons was raised in a draft resolution presented by the delegation of the United Kingdom and a

number of other cosponsors. After some discussion of this draft resolution and certain oral amendments proposed by the delegation of Argentina, a draft resolution was adopted without a vote. (E/Res/1979/38.) As adopted, the resolution requested the Commission on Human Rights at its 36th session to consider the question of disappeared persons as a matter of priority, with a view to making recommendations. It also requested the Subcommission on Discrimination and Minorities to consider the subject at its 32nd session, with a view to making "general recommendations" to the Commission on Human Rights at its 36th session. Finally, the Subcommission was requested to consider communications on disappeared persons "in accordance with the relevant resolutions." This latter provision was designed to finesse a proposal advanced by Argentina to the effect that communications concerning disappeared persons, when considered by the Subcommission, could be considered only in conformity with the confidential procedures laid down in E/Res/1503 (XLVIII).

At the 34th General Assembly, the subject of torture and other cruel, inhuman, or degrading treatment or punishment was one of the principal human rights items on the Third Committee's agenda. Because the drafting of the convention on torture was still in the hands of the Commission on Human Rights, the Assembly turned its attention to two other documents designed to strengthen the international protection of persons under detention. On December 3, Sweden (as Chairman-Rapporteur of the Working Group on the Draft Code of Conduct for Law Enforcement Officials) introduced a draft resolution sponsored by 14 other states, including the United States. This Code of Conduct had been drawn up by the United Nations Committee on Crime Prevention and Control on the basis, *inter alia*, of proposals made by the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, which met in the summer of 1975. The draft resolution was approved by consensus on the same day it was introduced to the Third Committee and, as resolution 34/169, was adopted in plenary by consensus by December 17. In adopting the Code, the Assembly decided to transmit it to governments with the recommendation that favorable consideration should be given to its use within the framework of national legislation or practice as a body of principles for observance by law enforcement officials.

Another action taken by the Assembly under the same agenda item concerned a draft Code of Medical Ethics. The World Health Organization undertook the development of a Code of Medical Ethics in response to a request made by the General Assembly in its resolution 3218 (XXIX), adopted on November 6, 1974. The Director General of the World Health Organization forwarded to the

Assembly, through the Secretary General, a set of Principles on the Development of Codes of Medical Ethics that had been endorsed by the Executive Board of the World Health Organization (WHO) in January 1979. The Assembly adopted on December 16, without a vote, a draft resolution cosponsored by Greece, Ireland, the Netherlands, and Portugal providing for the draft Code to be circulated to member states and interested organizations for comments and suggestions, with a view to considering further the draft Code at the 35th General Assembly. (Resolution 34/168.)

Human Rights in the Occupied Territories of the Middle East

Since its 24th (1968) session, the Commission on Human Rights has annually discussed the situation of human rights in the occupied Arab territories of the Middle East. At the 35th session of the Commission, discussion of this item, which was the first substantive item on the agenda, opened with an unusual twist. The Representative of Pakistan proposed that the Commission immediately send a telegram to the Government of Israel expressing its deep concern about a number of alleged Israeli actions in the occupied territories, including the "systematic torture practiced by Israel against Palestinian detainees, as reflected once again in recent international reports." In spite of objections raised by the United States that the Commission's Rules of Procedure required submitting proposals in writing 24 hours in advance of a vote upon them, the Commission decided by a vote of 16 to 9 (U.S.), with 2 abstentions, to waive the applicable rule of procedure and to vote immediately on the proposed telegram. The vote on the telegram was 19 to 3 (U.S.), with 8 abstentions. (Decision 2 (XXXV).) During the ensuing discussion of the agenda item the U.S. Representative made a statement in which he took pains to clarify allegations that had appeared in the press concerning findings in the report on human rights in Israel that had been issued by the State Department a few days before the opening of the Commission session. In his statement, Mr. Mezvinsky noted that the State Department's report acknowledged that there had been some credible reports that instances of ill-treatment had occurred in the occupied territories. He stressed, however, that the report did not state that "systematic torture was being practiced by the Israeli authorities." He noted that assurances had been given by the Israeli authorities that mistreatment of detainees was forbidden by Israeli law and that violators are punished. Mr. Mezvinsky then referred to the magnitude and complexity of the Middle East problem, of which the human rights aspects were an important and integral part. He

stated that one obvious solution to the human rights problem lay in establishing a just peace in the Middle East, and he expressed the hope that the talks that were to begin at Camp David later that month would continue the movement that had already been achieved in great measure toward the goal of peace.

Following the pattern of previous sessions, a group of non-aligned countries introduced a two-part draft resolution. One part contained a comprehensive recital of allegations of human rights violations in the occupied territories charged to the Government of Israel and calling for a cessation of the alleged practices; the second called upon Israel to abide by and respect the obligations arising from international rules and instruments, and in particular, the provisions of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War. Part A of the draft resolution cited as one source for the allegations contained in it the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, which had originally been submitted to the General Assembly at its 33rd session. The Commission has no investigatory organ of its own for this question and therefore relies upon the reports of the General Assembly's Special Committee, which has been in existence since its creation at the 23rd General Assembly session. The two parts of the draft resolution were voted upon separately. Draft resolution A was adopted by a vote of 20 to 2 (U.S.), with 9 abstentions. Draft resolution B was adopted without a vote. (Resolution 1 (XXXV).)

At the 34th General Assembly session, the same human rights issue was once again debated in the Special Political Committee. (For a report on this debate, see page 17.)

Racial Discrimination

The subject of racial discrimination, as is usual, occupied a leading place in the agenda of the 35th Human Rights Commission session. Most prominent among the several items relating to racial discrimination were those dealing with violations of human rights in southern Africa. Since 1967 the Commission has used the mechanism of an intersessional *ad hoc* working group of experts to monitor the human rights situation in southern Africa. At the 35th session, the Commission received another report of its working group and, on the basis of this report, a group of states, principally African, introduced a draft resolution. The draft resolution, following the pattern of others adopted at previous Commission sessions, related the continuing human rights violations that had been reported by the working group, especially in Namibia and in southern Africa, highlighting

especially prison conditions in South African jails, and renewed the mandate of the *ad hoc* working group of experts to continue to study the policies and practices which violate human rights in South Africa, Namibia, and Zimbabwe. Resolution 12 (XXXV) was adopted by a vote of 23 to 3 (U.S.), with 6 abstentions. The U.S. negative vote on this resolution was due principally to the provision in that resolution that called for a study to be made "of the South African Government's legitimacy in view of its policy of *apartheid* . . . and then to draw from that study all appropriate conclusions of law and of fact." In his explanation of the vote, the U.S. Representative, Michael P. E. Hoyt, stated that his government took vigorous exception to the view that it is lawful or appropriate for the United Nations to study the legitimacy of any government of a member state that has come to power not through foreign imposition but by the internal processes of that state. Mr. Hoyt also noted that some provisions in the draft resolution relating to Namibia would be unhelpful to the settlement process which was then underway and involved the Security Council and all parties to the Namibia question.

Under the same agenda item, the Commission also adopted a resolution on March 6, proposed by Syria, that expressed its profound appreciation to the Government of Iran for severing all relations with the "racist regime" of South Africa and, in particular, stopping all oil supplies to that regime. The resolution also commended all other governments which had adopted similar measures. The vote on resolution 13 (XXXV) was 24 to 1 (U.S.), with 7 abstentions. The U.S. negative vote was explained as being consequential to its stated policy against severing all relations, including economic and commercial relations, with South Africa.

The Commission also adopted by a vote of 23 to 3 (U.S.), with 6 abstentions, resolution 9 (XXXV) on the "adverse" consequences to human rights of assisting the colonial and racist regimes in southern Africa. The United States voted against this resolution because of its stated conclusion that all governments as well as individuals extending any form of aid to southern Africa were, in effect, denying human rights in that country. The United States abstained in the vote on a resolution endorsing and urging compliance with the implementation machinery of the International Convention on the Suppression and Punishment of the Crime of Apartheid. The vote was 22 in favor, 0 opposed, with 9 abstentions (U.S.). (Resolution 10 (XXXV).) This abstention was in line with the standing position of the U.S. Government of opposing that Convention since it was first approved by the General Assembly in 1973.

A resolution proposed by the delegation of India, which focused upon certain indignities and hardships suffered by nonwhite immigrants because of treatment by the immigration authorities of the

United Kingdom, was adopted by consensus. (Resolution 7 (XXXV).) Finally, with respect to the Commission's resolution relating to implementing the UN Program for the Decade for Action to Combat Racism and Racial Discrimination, (Resolution 8 (XXXV), was adopted by a vote of 24 to 0, with 7 (U.S.) abstentions. The United States did not participate in the vote since this was a part of the general policy of nonparticipation adopted by the U.S. Government as a reaction to the adoption at the 30th General Assembly of resolution 3379 (XXX) equating racism with Zionism.

At the 34th General Assembly, racial issues were also prominent among the human rights items considered by the Third Committee. Again, the United States did not participate in the vote at the 34th General Assembly on resolution 34/24 concerning the implementation of the Program for the Decade for Action to Combat Racism and Racial Discrimination, which was adopted by a vote of 82 to 17, with 6 abstentions. Resolution 34/26 supporting the United Nations Convention on the Elimination of All Forms of Racial Discrimination was adopted without a vote. (Although the United States is not yet a party to this Convention, it is awaiting Senate action as a result of its submission to the Senate by President Carter in February 1978.) The United States abstained in a vote of 116 to 0, with 26 (U.S.) abstentions on resolution 34/27, again endorsing the implementation provisions of the Convention on the Crime of Apartheid, and joined in a consensus vote on resolution 34/28, which welcomed and commended the report and work of the Committee on the Elimination of Racial Discrimination. This Committee is the implementation organ that operates under the International Convention on the Elimination of All Forms of Racial Discrimination.

Economic, Social, and Cultural Rights

A recurring item on the agendas of the Commission on Human Rights and one to which the less-developed countries have been attaching increasing importance is the one relating to the realization of the economic, social, and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights. At the 35th session of the Commission, the debate on this item centered upon a report prepared by the Secretary General in response to a request made to him 2 years previously by the Commission. This report discussed the international dimensions of a right to development as a human right in relation with other human rights. Culminating the discussion of this report, Senegal proposed a draft resolution which gave general endorsement to the Secretary General's report and called for further

study of the right to development focusing upon its regional and national dimensions. In one of its key operative paragraphs, the resolution presented the underlying rationale of the right to development by noting that the exercise of the right to development implied a reign of peace and the establishment of an international economic order based on respect for human rights. The Senegalese draft resolution was adopted by the Commission without a vote. (Resolution 4 (XXXV).) In describing the U.S. position on this resolution, the U.S. Representative, Mrs. Lois J. Matteson, stressed the importance, as acknowledged in the resolution, of integrating human rights in the development process. She further noted that while accepting the references to the right to development in the resolution, the content of the right to development remained uncertain, and that further study of the right by member governments was contemplated. In commenting upon the Secretary General's report, Mrs. Matteson stated that certain elements of the report that suggested a presumed legal obligation upon developed countries to give reparations to developing countries were unacceptable.

Cuba also proposed another resolution under the agenda item. A number of its provisions were unacceptable to the United States. The Cuban draft resolution, much more radical in its characterizations of existing conditions than the resolution proposed by Senegal, called for establishing a more equitable and just international economic order. It alleged that human rights conditions were being imposed in bilateral and multilateral trade policies with the intention and effect of perpetuating the existing structure of world trade. It also reaffirmed the inalienable right of all nations to pursue freely their economic and social development and to exercise full and complete sovereignty over all natural resources. In this implied reference to expropriation of property, the draft resolution omitted any qualifying phrase regarding the rights of states under international law. Finally, the draft resolution proposed, in terms that prejudged its outcome, that a seminar be held on the effects of the "existing unjust international economic order on the economies of the developing countries, and the obstacle that this represents for the implementation of human rights." Resolution 5 (XXXV) was adopted by a vote of 23 to 1 (U.S.), with 7 abstentions.

Self-Determination

A subject that annually receives the attention of the Human Rights Commission is that of the right of peoples to self-determination. Although this right is recognized in the two International Human Rights Covenants as a basic right, the debates in the

Commission over recent years have taken on a very political tone, with the focus primarily upon certain specific areas of the world in which the right of self-determination is at issue. At the 35th Commission session, two resolutions were proposed and subsequently adopted. One, presented by India and other sponsors from the non-aligned countries, was limited to the situation of the Palestinian people. One of its principal operative paragraphs affirmed the inalienable right of the Palestinian people to self-determination without external interference and the establishment of a fully independent and sovereign state of Palestine. The inalienable right of the Palestinians to return to their homes and property, from which they have been displaced and uprooted, was also reaffirmed in the draft resolution. Resolution 2 (XXXV) was adopted by a vote of 23 to 3 (U.S.), with 5 abstentions. The U.S. Representative made no explanation of the vote, since the United States opposes blanket condemnations of Israeli practices without full and objective investigation. This position has been repeatedly stated for the record.

Another resolution of a more general but of an equally political character was presented by the delegation of Cuba and a number of other cosponsors from the non-aligned group of states. This resolution, in its terms, was almost a carbon copy of a resolution adopted at the 34th Human Rights Commission session. Among the operative paragraphs of the draft resolution was one reaffirming the inalienable right of the peoples of Namibia, Zimbabwe, South Africa, and the people of Palestine and of all peoples under alien and colonial domination to self-determination and national independence. Another condemned the policy of states that continue to maintain political, economic, military, and other relations with the racist regimes in southern Africa. The legitimacy of the struggle of peoples for independence by all available means, including armed struggle, was also reaffirmed. Principally because of paragraphs such as the foregoing, the United States voted against this resolution. The vote on resolution 3 (XXXV) was 23 to 4 (U.S.), with 4 abstentions.

One unusual feature of the Commission's discussion of the issue of self-determination at the 35th session was the interchange that took place between a representative of a nongovernmental organization in consultative status, the International Indian Treaty Council, and the U.S. Representative, Mr. Mezvinsky. Responding to a statement made by the representative of the International Indian Treaty Council alleging flagrant violations by the Government of the United States of the right to self-determination of the American Indians, Mr. Mezvinsky described the policies being followed by the U.S. Government as contained in the Indian Self-Determination and Education Assistance Act adopted by the United States Congress in 1975. After reading the findings contained in the Act, as well as the

Congressional Declaration of Policy, the U.S. Representative stated:

As is evident, the United States Government has charted for itself an ambitious program designed to meet the just expectations of the American Indian people. The direction has been set to provide maximum Indian participation in the government and education of the Indian people. . . . We are confident that the American system of participatory democracy which guarantees Indians the rights to free expression, assembly and press, which guarantees access to the judicial processes and the rights to vote and hold public office can and will respond fully and successfully to their just demands.

Again at the 34th General Assembly, the subject of self-determination was considered and a resolution, in many respects an exact copy of the one adopted by the 35th Human Rights Commission, was proposed by a group of non-aligned states. The General Assembly's resolution contained additional language specifically condemning certain alleged activities of Israel with respect to the people of Palestine as well as the "expansionist activities" of Israel in the Middle East. One of the operative paragraphs also condemned the policies of members of NATO for maintaining political, economic, military, nuclear, strategic, cultural, and sporting relations with the "racist regimes" in southern Africa. Other paragraphs repeated the same objectionable wording included in the resolution adopted by the Human Rights Commission. Before the resolution was voted upon in the Third Committee, an amendment proposed by a number of Arab delegations provided for a new operative paragraph to be inserted, clearly directed at the Camp David agreements, strongly condemning

. . . all partial agreements and separate treaties which constitute a flagrant violation of the rights of the Palestinian people, the principles of the United Nations Charter and the resolutions adopted in various international forums on the Palestinian issue, and which prevent the realization of the Palestinian people's aspiration to return to their homeland, to achieve self-determination and to exercise full sovereignty on their territories.

This amendment was adopted by a vote of 59 to 36 (U.S.), with 36 abstentions. The vote on the resolution as a whole in the Third Committee was 97 to 22 (U.S.), with 14 abstentions. In plenary, resolution 34/44 was adopted on November 23 by a vote of 105 to 20 (U.S.), with 16 abstentions.

Regional Arrangements

As a part of its policy goal of strengthening international human rights machinery, the U.S. Government has consistently given strong support to UN measures designed to encourage the establishment of regional human rights machinery in those regions of the world where such machinery does not now exist. In response to

resolutions adopted by the Commission on Human Rights and the General Assembly, the United Nations, in cooperation with the Government of Liberia, convened a Seminar on the Establishment of Regional Commissions on Human Rights With Specific Reference to Africa. This seminar was held in Monrovia, September 10-21, 1979. Participation in the seminar was limited to participants named by states members of the Economic Commission for Africa. The United States was represented by an observer delegation headed by Michael P. E. Hoyt, Counselor for Human Rights of the Permanent Mission in Geneva. The seminar unanimously adopted a proposal for setting up an African Commission on Human Rights, which it requested the Secretary General to transmit to the Organization of African Unity (OAU) for consideration. The proposal (known as the Monrovia Proposal) was designed as a possible model of an African Commission on Human Rights and was based on the assumption that an African Declaration of Human Rights or an African Charter of Human Rights would be negotiated under OAU auspices.

At the 34th General Assembly, the results of the seminar were welcomed in a resolution proposed by Nigeria and cosponsored by the United States, which was adopted on December 17 without a vote. (Resolution 34/171.) In its resolution, the General Assembly noted with satisfaction the adoption of the Monrovia Proposal for setting up an African Commission on Human Rights. The Assembly reiterated its appeal to states in areas where regional arrangements in the field of human rights do not yet exist to consider agreements with a view to establishing, within their respective regions, suitable regional arrangements to promote and protect human rights. Finally, the resolution requested the Secretary General to explore the possibility with the states in the regions concerned of holding a seminar as soon as possible to discuss methods to promote and protect human rights.

Human Rights of Noncitizens

The question of the human rights of persons not citizens of the countries in which they live was first raised in the Commission on Human Rights at its 29th (1973) session by the United Kingdom. Concern over this matter, although not expressly stated, arose principally out of the expulsions in 1972 of noncitizen Asians from Uganda. At that time, the Commission requested the Subcommission on Prevention of Discrimination and Protection of Minorities to consider as a matter of priority the problem of the applicability of existing international provisions for the protection of human rights of individuals who are not citizens of the country in which they live. The

Subcommission was asked to consider the possibility of a declaration on the subject and to submit its recommendations to the Commission on Human Rights. Since that time, action on this question has been pursued in the Subcommission on the basis of a study prepared by a Special Rapporteur appointed by the Subcommission, Baroness Elles.

At its 35th session, the Human Rights Commission considered the Special Rapporteur's study together with the text of a draft declaration. By a vote of 24 (U.S.) to 0, with 5 abstentions, the Commission adopted resolution 16 (XXXV). It expressed deep appreciation to the Special Rapporteur for her valuable study, recommended that the study be printed and given the widest possible dissemination and requested ECOSOC to consider the text of the draft declaration with a view to submitting it to the General Assembly for its consideration.

At the 1st regular session, 1979, of ECOSOC, the Commission's recommendation was accepted, except that ECOSOC put off a decision as to whether or not the draft declaration should be forwarded to the General Assembly. In its decision 1979/36, the Economic and Social Council decided to transmit the draft declaration to member states for their comments so that the draft declaration might be further considered by the Commission at its 36th session, with a view to transmitting a further report on the subject to ECOSOC at its 1st regular session in 1980. The decision was adopted without a vote.

Right of *Habeas Corpus* or *Amparo*

As a part of its priority interest in the protection of the human rights of detained persons, the United States, at the 34th General Assembly, considered it opportune to take an initiative to emphasize the key remedy, known in the Anglo-Saxon legal system as *habeas corpus*. A similar remedy, known as *amparo*, exists in the legal systems of Latin America. On December 5, in the Third Committee, the United States, joined by Australia, the Netherlands, Sweden, the United Kingdom, Canada, El Salvador, Ireland, Japan, and Mexico, proposed a draft resolution that had as its principal purpose the publicizing and endorsing of rights such as *amparo* or *habeas corpus*, both through action by the General Assembly and through the holding of an international seminar on the subject. In this draft resolution, one of the preambular paragraphs took note of the fact that the year 1979 marked the 300th anniversary of the Act of *Habeas Corpus* adopted by the British Parliament in 1679. The U.S.-initiated resolution 34/178 was adopted by consensus on December 17. As adopted, the resolution expressed the Assembly's conviction that applying *amparo*, *habeas corpus*, or other legal

remedies to the same effect within the legal system of states is of fundamental importance for (a) protecting persons against arbitrary arrest and unlawful detention, (b) effecting the release of persons who are detained by reason of their political opinions or convictions, including those in pursuance of trade union activities, and (c) clarifying the whereabouts and fate of missing and disappeared persons. The Assembly called upon all governments to guarantee to persons within their jurisdiction the full enjoyment of the right of *amparo*, *habeas corpus*, or other legal remedies to the same effect. Finally, the resolution decided that in order to extend the global understanding and larger applications of institutions such as *amparo*, *habeas corpus*, or other legal remedies to the same effect, an international seminar on the matter would be timely and useful. The question will be considered further by the General Assembly at its 35th session.

Drafting International Instruments

At the 35th session, the Commission on Human Rights carried forward its drafting of four international instruments: (a) the draft Convention on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; (b) the Convention on the Rights of the Child; (c) the draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief; and (d) a draft Declaration on the Rights of Persons Belonging to National, Ethnic, Religious or Linguistic Minorities. The drafting activity was handled in each case by establishing a sessional open-ended working group, each of which met for an allotted number of meetings during the 35th session.

The draft convention on torture is the project that has seen the most progress and is the closest to completion. Since its 30th session in 1974, the Commission has been seeking to complete the draft declaration on religious intolerance in response to a request made by the General Assembly. Progress on this draft declaration has been disappointingly slow, chiefly because of the delaying tactics being actively pursued by delegations from the Communist countries. Apparently their goal is to postpone completing a draft declaration as long as possible. By comparison to previous sessions, the 35th session made an unexpected spurt of progress by adopting the first three substantive articles of the draft declaration. This was done in spite of objections by the Communist delegations that the Commission should adhere to its practice of reaching decisions on the draft declaration by consensus. The Commission's decision, recorded in its resolution 20 (XXXV), to adopt the first three articles, was taken by a vote of 19 (U.S.) to 0, with 13 abstentions.

The drafting of a Convention on the Rights of the Child has been proceeding on the basis of a draft text submitted by Poland at the 34th Commission session in 1978. In submitting the draft convention, Poland urged that work on its drafting might be carried out expeditiously so that the draft convention might be completed by 1979, the International Year of the Child. While the Commission at its 34th session decided to conclude, if possible, work on the convention at its 35th session, this goal was not realized, and at its 35th session the Commission took a decision to continue its work on the draft convention with a view to completing it, if possible, at the 36th session, to be transmitted to the General Assembly through ECOSOC. This decision was incorporated in Commission resolution 19 (XXXV), adopted without a vote.

Finally, no progress at all was achieved on the draft declaration concerning minorities, originally submitted by Yugoslavia. The working group devoted to this task was able to complete only a preliminary, theoretical discussion of the concept of a minority and the categories that would be covered in a draft declaration. In resolution 21 (XXXV), adopted without a vote, the Commission requested its Subcommission on Prevention of Discrimination and Protection of Minorities to submit its opinion on the draft declaration proposed by Yugoslavia and decided to consider the draft declaration further at its 36th session.

At the 34th General Assembly, the subject of the elimination of religious intolerance was briefly considered, and the Assembly adopted without a vote a resolution proposed by the Netherlands and other cosponsors. (Resolution 34/43.) In its resolution, the Assembly requested the Human Rights Commission to strive towards completing the draft declaration at its 36th session, with a view to submitting to the General Assembly at its 35th session, through ECOSOC, a single draft declaration.

Rights of Minorities

The report of the Subcommission on Prevention of Discrimination and Protection of Minorities was the occasion for special interest by a number of delegations at the 35th session of the Human Rights Commission. The report of the 31st Session of the Subcommission transmitted a final study on the question of the prevention and punishment of the crime of genocide, in preparation since 1971 by an expert Special Rapporteur for the Subcommission. The controversy surrounding the report on genocide, as prepared by the Special Rapporteur, related to a paragraph that had been included in a progress report, prepared earlier by the Special Rapporteur but omitted from

his final version. This paragraph stated that "Passing to the modern era, one may note the existence of relatively full documentation dealing with the massacres of Armenians, which have been described as the first case of genocide in the Twentieth Century."

In referring to the omission of this paragraph, U.S. Representative Mezvinsky stated: "We would have preferred that the Special Rapporteur had retained the substance covered by that paragraph as well as having listed other specific historical cases that one could characterize as genocide." The position stated by the U.S. Representative was echoed by a number of other representatives. Discussion of this matter was concluded by a statement by the Commission Chairman, which the Commission agreed should be included in its sessional report. In his statement, the Chairman expressed the hope that the Special Rapporteur, when putting the final touches to the text of his report, would take account of the statements made during the Commission's discussion and of other communications received by the Commission Chairman. The Commission completed its action on the study on genocide by approving the Subcommittee's proposal that the study be given the widest possible distribution. (Decision 9 (XXXV).)

The Human Rights of Migrant Workers

At the 35th session, the Human Rights Commission considered the report of a working group that had been established by the Economic and Social Council on the recommendation of the 34th Commission. This working group, open to all UN members, had met in Geneva from December 18-22, 1978. The United States was represented at this session. The working group agreed upon the text of a draft resolution forwarded to the Commission. At the 35th session, the Commission considered the proposed draft resolution at one meeting and adopted it without a vote. (Resolution 25 (XXXV).) The draft resolution contained a number of provisions, some directed at states and others directed at governments of countries hosting migrant workers, listing measures that the host countries should take to assure the equality of treatment of migrant workers and their families. Finally, the draft resolution incorporated the Commission's decision to continue a study of the problem of the human rights of migrant workers at its 36th session by giving priority to (a) the protection of migrant workers' children; (b) violations of the human rights of migrant workers resulting from illicit traffic in such workers; and (c) access of migrant workers to certain remedies in the host countries.

The subject of the human rights of migrant workers was again con-

sidered at the Economic and Social Council's 1st regular session in 1979. The Council considered two draft resolutions. One, forwarded by the Commission for Social Development, requested a report to be prepared on existing national legislative and administrative regulations with regard to the welfare of migrant workers and their families. The report was to be submitted to the Commission for Social Development so that it could assess the main principles applicable in this matter and make the necessary recommendations as to the scope of its future action in the field. The resolution was adopted without a vote. (E/Res/1979/12.)

The second draft resolution was proposed by Algeria on behalf of a number of cosponsors. This draft raised the possibility of negotiating a convention on the protection of the rights of all migrant workers. In its principal operative paragraph, it requested the Secretary General to submit to the 1st regular session of ECOSOC of 1980 a report on the cooperative activities of the relevant international organizations such as the ILO, UNESCO, and WHO towards the preparation by the General Assembly of an international convention. The Algerian-proposed resolution was adopted by a vote of 39 to 0, with 6 abstentions (U.S.) (E/Res/1979/13.) The U.S. abstention was based upon its belief that preparing an international convention on the rights of migrant workers would be premature and that a decision as to the advisability of drafting a convention should await the completion of studies currently underway, in particular the study being prepared by the International Labor Organization.

At the 34th General Assembly, the subject was again considered in the Third Committee on the basis of a report prepared by the Secretary General pursuant to resolution 33/163. In this resolution, the Assembly had requested the Secretary General to explore with member states the possibility of drawing up an international convention on the rights of migrant workers. The discussion of the subject was concluded by action upon a draft resolution submitted by Algeria and a number of other cosponsors. It proposed that the Assembly create at its 35th session a working group open to all member states to elaborate an international convention on the protection of the rights of migrant workers and their families. The draft resolution was approved in the Third Committee on November 30 by a vote of 101 to 0, with 17 abstentions (U.S.). The United States abstained in the vote because of its view that the International Labor Organization was the more appropriate body to deal with the question of migrant workers and generally supported the comments to this effect made in the debate by the representative of the International Labor Organization. In particular, the U.S. Representative, Robert Hyam, agreed with the opinion of the ILO representative that the need for another international convention on the subject of

migrant workers was questionable. This resolution was subsequently adopted by the General Assembly on December 17 by a vote of 118 to 0, with 19 abstentions (U.S.). (Resolution 34/172.)

Subcommission on Prevention of Discrimination and Protection of Minorities

The 32nd session of the Subcommission on Prevention of Discrimination and Protection of Minorities met in Geneva August 20–September 7, 1979. The session was unusually productive. In addition to performing its functions under E/Res/1503 (XLVIII)—to examine private communications relating to violations of human rights to identify situations involving consistent patterns of gross violations for referral to the Commission on Human Rights—the Subcommission adopted nine resolutions. One of the most important was that relating to the problem of disappeared persons. Responding to E/Res/1979/38, the Subcommission in resolution 5B(XXXII) proposed to the Commission on Human Rights that it be authorized to establish a group of experts from among its membership, which would be given all the information available for locating the missing and disappeared persons in different regions of the world and would make the necessary contacts with the governments and families concerned. In the same resolution, the Subcommission also noted that if the phenomenon of missing persons were to continue, its extreme gravity would justify envisaging some form of emergency remedy, based on the notion of *habeas corpus* or any other type of legal protection, designed to induce official organs to devote the necessary means to the search for the missing and disappeared persons in different regions of the world. A number of the resolutions adopted by the Subcommission instituted new expert studies on particular aspects of basic human rights. These included studies of: (a) discriminatory treatment against members of racial, ethnic, religious, or linguistic groups at various levels in the administration of criminal justice proceedings; (b) problems relating to racial discrimination in conjunction with the second half of the UN's Decade for Action to Combat Racism and Racial Discrimination; (c) the independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers; (d) the exploitation of child labor; and (e) the New International Economic Order and the promotion of human rights.

A number of resolutions drawing attention to specific problem situations involving serious allegations of human rights violations were adopted, including the occupied territories of the Middle East, Kampuchea, and Nicaragua. The Subcommission also decided to send a telegram to the Government of Iran expressing its deep sense

of shock at reported summary executions of numerous Kurds in Iran and requesting the immediate cessation of these inhuman practices.

Finally, the Subcommission addressed two general problem areas by proposing to establish a sessional working group of five of its members to consider ways and means of encouraging governments that have not yet done so to ratify or adhere to international human rights treaties and requested a report from the Secretary General with a view to the Subcommission's forming guidelines regarding medical measures that may be properly employed in treating persons detained on the grounds of mental ill-health.

With respect to its future work program, the Subcommission made three proposals for approval by the Human Rights Commission, as follows: (a) a change of its name to the Subcommission of Experts on Human Rights; (b) an amendment to its Rules of Procedure to allow for taking decisions on matters arising in implementing E/Res/1503 (XLVIII) by secret ballot; and (c) the holding of two sessions of the Subcommission each year, with one session being held, if possible, at UN Headquarters in New York and the other at the UN Office at Geneva.

Status of Women

In May 1979, Secretary of State Vance announced a policy aimed at making women's rights an integral part of U.S. human rights policy. He called for stepped-up informal discussions with foreign leaders in order to give greater meaning and relevance to UN resolutions and other UN instruments intended to implement the UN World Plan of Action for the UN Decade for Women.

Within the United Nations, the year's significant developments concerning the status of women took place in ECOSOC; in the Preparatory Committee for the World Conference of the UN Decade for Women, 1980; and in the General Assembly. The Commission on the Status of Women, which meets on a biennial basis, did not meet during 1979.

ECOSOC CONSIDERATION

At its first regular session of 1979, ECOSOC considered items on the UN Decade for Women. The main issue before ECOSOC was organizational matters involving the UN International Research and Training Institute for the Advancement of Women. Of special concern was the selection of a host country and nomination of the Board of Trustees for the International Research and Training Institute. The United States joined Argentina, Barbados, Colombia, Spain, and

Venezuela in sponsoring a resolution which recommended the Dominican Republic as the site of the Institute.

The same resolution called for the selection of the Board of Trustees to be postponed until the second regular ECOSOC session in order to allow for consultations among member states to identify candidates for the Board. The resolution was adopted by ECOSOC without a vote on May 9. (Resolution 1979/11.) On August 2, at its second regular session of 1979, ECOSOC appointed the members of the Board.¹⁷

PREPARATORY COMMITTEE FOR THE 1980 WORLD CONFERENCE

It became apparent at the second session of the Preparatory Committee for the World Conference of the UN Decade for Women, 1980, which met in New York from August 27 to September 8, that the World Conference would deal with a range of political issues current within the UN system. Most of the Committee's discussions centered around proposals for additions to the draft program of action for the second half of the UN Decade for Women (1981-85) and measures to assist women victims of apartheid in southern Africa. Establishing a special legal defense fund and legal office for women victims of apartheid was suggested. The United States opposed, in principle, the proliferation of voluntary funds, and noted that it already assisted southern African men and women through other UN voluntary funding activities. Both issues were referred to the UN General Assembly for consideration.

The United States was successful in expanding the number of nongovernmental organizations that could participate in the World Conference sessions. The previous limit of 15 had created widespread dissatisfaction after the First Preparatory Committee session. The revised agreement permitted nongovernmental organizations to be limited not by number but rather by a time limit of 5 minutes in oral presentations.

The Committee's working group considered item by item the draft outline for the program for the second half of the decade and presented additional proposals. The report specified that the proposals did not represent agreed texts but rather "constituted general guidelines for the Secretariat" in developing the program of action. The outlined program made recommendations for national targets and strategies for women's integration and participation in economic and social development, with special emphasis on the subthemes of employment, health, and education. It concluded with recommendations on regional and international targets and strategies.

¹⁷ Irene Tinker of the United States was appointed for a 1-year term.

The Committee approved a nearly complete set of draft provisional rules of procedure for the World Conference; allocated specific subjects to be discussed by each of the Conference's two main committees; and considered contributions to be made to the Conference by nongovernmental organizations, regional commissions, specialized agencies, and other bodies of the UN system. The Committee decided that the draft program for the Decade's second half should include consideration of the social and economic needs of Palestinian women. In an attempt to expand the focus and deal with the universality of the refugee issue, the Philippines (supported by the United States) proposed that the needs and problems of all women refugees be included in the draft program. This draft decision requested the UN High Commissioner for Refugees to report on women refugees and recommend measures to be taken by countries of first asylum and settlement—as well as at the regional level—by UN bodies. The Committee agreed to defer consideration of this proposal to its third session, in 1980.

The Committee notified the General Assembly of the need for a third preparatory session early in 1980, since it had not been able to take final decisions because all of the regional meetings had not yet been held and their conclusions had to be taken into account. The third session would take place following the 28th session of the Commission on the Status of Women (February 25–March 5, 1980) in Vienna.

The only regional meeting which had taken place prior to the second session of the Preparatory Committee was the one sponsored by the ECE and France, held from July 9–12 in Paris. Four meetings organized by the regional economic commissions were held after the second session of the Preparatory Committee meeting and, although they had originally been scheduled earlier, the meetings had been postponed due to the delay in establishing the World Conference Secretariat.

The United States sent delegations to the economic regional commissions' preparatory meetings—ECE, July 9–12 in Paris; ESCAP, November 5–9, New Delhi, India; and ECLA, Macuto (Caracas), Venezuela. Other UN regional preparatory meetings were held in Damascus, Syria, October 2–9—ECWA; and Lusaka, Zambia, December 3–7—ECA.

GENERAL ASSEMBLY

Convention on Elimination of Discrimination Against Women

The most outstanding accomplishment at the 34th General Assembly session concerning women's issues was the adoption of the

Convention on the Elimination of all Forms of Discrimination Against Women. During the 33rd General Assembly, great effort was made to ensure that the language of the Convention would enable all countries to be signatories. At the beginning of the 34th session, a working group was established to draw up articles creating a mechanism for implementing the Convention, to draft the final clauses of the Convention, and to reconsider the articles which previously had not been completed.

The final text of the draft Convention was approved by the Third Committee on December 6 by a vote of 104 to 0, with 10 abstentions.

On December 18, the General Assembly adopted and opened for signature the 6-part, 30-article Convention on the Elimination of All Forms of Discrimination Against Women. The text of the Convention as a whole was adopted by a recorded vote of 130 (U.S.) to 0, with 11 abstentions.

In the resolution accompanying the Convention, the General Assembly declared that discrimination against women is incompatible with human dignity and the welfare of society and constitutes an obstacle to the full realization of the potentialities of women. The resolution also affirmed that women and men should participate and contribute on a basis of equality in the social, economic, and political processes of development and further expressed the hope that the Convention would be signed and ratified or acceded to without delay and that it would enter into force at an early date. (Resolution 34/180.)

The Convention had evolved over a period of 16 years, with especially intense negotiations during the last 5 years, in various working groups, in the Commission on the Status of Women, and in the General Assembly's Third Committee.

The Convention is wider in scope and is more detailed than any of the international agreements already in effect which seek the advancement of women. In the Convention, "discrimination against women" is defined in article 1 as:

... any distinction, exclusion or restriction made on the basis of sex which has the effect of or the purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

After setting forth this definition of "discrimination against women" in article 1, the Convention proceeds in the next 15 articles to identify and describe activities where such discrimination exists and to obligate states parties to the convention to take measures to eliminate discrimination in all its forms and in nearly every conceivable field of human endeavor, including politics, law, employment, education, health care, commercial transactions, and domestic

relations. Articles 17-22 (Part V) established a Committee on the Elimination of Discrimination Against Women to consider periodic reports by states parties on the legislative, judicial, and administrative measures adopted by each to implement the provisions of the Convention.

On December 18, in explanation of its vote on the Convention, the U.S. Representative stated that although the United States was not happy with certain portions of the preamble that seemed extraneous, it wholeheartedly supported the basic principles of the Convention. U.S. agencies would be reviewing the final instrument to determine the U.S. position with regard to possible signature and transmission to the Senate. The United States noted that certain substantive provisions of the Convention might present "difficulties of a Constitutional nature, particularly in relation to our Federal-State system." And, although the United States hoped this would not be the case, it had to raise this possibility, pending comprehensive review by its government agencies.

UN Decade for Women

The 34th General Assembly adopted eight resolutions under the agenda item "UN Decade for Women: Equality, Development, and Peace." The Third Committee considered and approved the resolutions at 10 meetings between November 21 and 30. The Assembly in plenary session adopted the resolutions relating to women on December 17.

The first resolution, approved by the Committee without a vote on November 28 and adopted without vote in plenary, called upon member states to ensure, as regards both education and access to public functions of a social, economic, administrative, or political character, conditions of equality between men and women. It also requested the World Conference to consider means of ensuring more effective participation of women in the planning policies of their governments and more adequate reflection of their needs and concerns in those policies. (Resolution 34/155.)

The second resolution, approved in the Third Committee without a vote on November 29 and adopted in plenary session without a vote, dealt with the Voluntary Fund for the UN Decade for Women. It decided that the Voluntary Fund should remain in New York—this decision to be reviewed at the Assembly's 36th session on the basis of a report to be submitted by the Secretary General following consultations with the Administrator of UNDP, the Consultative Committee, and other UN agencies, as well as on the views submitted by member states. The resolution also expressed the Assembly's desire to see the projects developed by the Fund continued beyond the Decade. (Resolution 34/156.)

The third resolution, approved by the Committee without a vote and adopted in plenary session without a vote, accepted the offer of the Dominican Republic to act as host for the International Research and Training Institute for the Advancement of Women and expressed the desire that the necessary consultations concerning the agreement with the host country would be expeditiously concluded. The resolution also invited governments to contribute to the UN trust fund for the institute and asked the Secretary General to report to the 35th General Assembly on the work of the institute. (Resolution 34/157.)

The fourth resolution, approved by the Third Committee on November 29 by a vote of 103 to 2 (Israel, U.S.), with 23 abstentions and adopted in the plenary Assembly session by a vote of 121 to 2 (Israel, U.S.), with 21 abstentions, called upon members to make efforts in preparing and carrying out the World Conference and asked the Preparatory Committee for the World Conference to intensify its work in preparing an effective program of action to be based on careful review and evaluation of progress made in implementing the World Plan of Action. Further, it urged the Commission on the Status of Women to consider at its 1980 session the question of elaborating a draft declaration on "the participation of women in the struggle for the strengthening of international peace and security and against colonialism, racism, racial discrimination, foreign aggression and occupation and all forms of domination, and for the full and effective enjoyment of human rights and fundamental freedoms." (Resolution 34/158.)

The United States has opposed the recommendation for the elaboration of a declaration, originally made in General Assembly resolution 32/142, believing it would not help to remedy the social ills of the world.

The fifth resolution, approved without a vote on November 29 by the Committee and adopted in plenary without a vote, urged states to take measures to promote full equality of women with men in education and in the economic and social fields and recommended that states envisage in their policies all appropriate measures to create the conditions which would enable women to participate in work on an equal footing with men. It requested the Secretary General to circulate his analytical report on the status and role of women in education and in the economic and social fields as a background document of the World Conference of the UN Decade for Women and invited the World Conference to give due attention to the question. (Resolution 34/159.)

The sixth resolution, approved by the Committee on November 29 by a recorded vote of 109 to 2 (Israel, U.S.), with 20 abstentions, and adopted by the Assembly in plenary session by a recorded vote of 122 to 2 (Israel, U.S.), with 20 abstentions, decided to include in the provi-

sional agenda for the World Conference an item entitled "Effects of Israeli occupation on Palestinian women inside and outside the occupied territories." (Resolution 34/160.)

The United States was opposed to including items of a regional nature and politically controversial questions in the agenda of the World Conference.

The seventh resolution, approved by the Third Committee without a vote on November 29 and adopted in the plenary session without a vote, decided that the situation of women refugees the world over should be made part of the provisional agenda of the World Conference. (Resolution 34/161.)

The eighth resolution, approved by the Committee on November 29 by a vote of 122 to 0, with 9 abstentions, and adopted by the Assembly in plenary session without a vote (1) approved the recommendations of the Preparatory Committee concerning the activities related to the preparation of the 1980 World Conference; (2) approved holding a third session of the Preparatory Committee in 1980; (3) urged member states to ensure their adequate preparation for the Conference, including the presentation of studies of programs that had been successful in improving women's condition and promoting their participation in economic and social development; and (4) called upon member states, the organs of the United Nations, and the specialized agencies to take all necessary measures to mobilize public opinion in support of the Conference and its objectives. (Resolution 34/162.)

SPECIALIZED AGENCIES AND IAEA

World Bank Group

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT AND INTERNATIONAL DEVELOPMENT ASSOCIATION

During the fiscal year of 1979, ending June 30, 1979, World Bank (IBRD) membership had increased to 134 countries with the addition of Cape Verde and the Solomon Islands. Cape Verde had also joined the International Development Association (IDA).

Resources

In June 1979 the Executive Directors of the Bank agreed to recommend a General Capital Increase of \$40 billion to the Board of Governors. If fully subscribed, the increase would double the current

authorized capital stock and the number of shares outstanding. The increase is designed to allow IBRD lending to continue to grow in real terms through the mid-1980's. At the end of fiscal 1979, the suggested increase was before the Board of Governors for discussion.

During fiscal 1979, the IBRD continued to borrow in the capital markets of many countries to finance most of its lending operations, and for the fourth consecutive year the investment markets were the main source of the Bank's borrowed funds. The IBRD's borrowing totaled \$5.085 billion in fiscal 1979. While most Bank borrowings took place during the first half of the fiscal year to take advantage of favorable market conditions in Japan, Germany, and Switzerland, \$796 million was borrowed in May and June 1979—primarily in the Japanese investment market—which will be credited to the Bank's borrowing program for fiscal 1980.

The Bank's borrowings since July 1978 has consisted of \$1.171 billion equivalent in Deutschemarks, \$1.072 billion equivalent in Japanese yen, \$1.546 billion in Swiss francs, and \$666 million in U.S. dollars. In fiscal 1979 the IBRD also borrowed \$16 million from the Interest Subsidy Fund. This account was established in 1976 to facilitate lending on terms intermediate between IBRD and IDA terms.

Total resources provided to IDA increased \$1.613 billion during fiscal 1979, primarily from subscriptions and contributions to the Fifth Replenishment of the IDA (IDA V). IDA V was designed to cover IDA's lending needs through FY 1980. By the end of fiscal 1979, IDA had committed about two-thirds of its available funds under IDA V.

The U.S. contribution to IDA V is \$2.400 billion, to be made available in equal installments over a 3-year period, subject to congressional appropriations. The first and second installments were appropriated by 1978 and 1979 legislation, and legislation for appropriation of the final installments of IDA IV and IDA V has been submitted.

Three meetings were held during 1979 to negotiate the sixth replenishment of IDA (IDA VI). While no agreement had been reached on the size or share of IDA VI at the end of the fiscal year, the U.S. representative emphasized a sense of the congressional resolution calling for the U.S. share of IDA replenishments to decline toward 25%.

Lending Programs

During fiscal 1979, the World Bank approved 142 loans to 44 countries totaling \$6.989 billion, an increase of 12.5% over the previous year. IDA approved 105 credits to 43 developing countries totaling

\$3.022 billion, an increase of 23%. Disbursements by both institutions increased during fiscal 1979, the IBRD's by \$815 million to \$3.602 billion and IDA's by \$169 million to \$1.222 billion.

During the same period, lending in the agriculture and rural development sector decreased from 39% of the total in the previous year to 25%. The Bank notes in its 1979 *Annual Report* that the decline in agriculture and rural development lending reflects a drop in dollar volume of lending only, not a significant decline in the number of projects approved in the sector (84 in fiscal 1979 versus 88 in the previous year). Lending in support of transportation rose from 13% to 19%, and commitments in support of water supply projects increased \$643.6 million (63%), comprising 10% of total Bank and IDA lending. The Executive Directors also approved an expansion of the program for petroleum development, including, for the first time, financing for exploration. The United States supports this expanded IBRD role in helping the developing countries realize their energy resource potential and also believes the Bank should encourage private sector participation in energy exploration.

Development lending by the IBRD and IDA in fiscal 1979 had the following sectoral composition:

Sector	US \$ Millions		Percentage		Total
	Bank	IDA	Bank	IDA	
Agriculture and Rural Development	1,568.1	953.7	22	32	25
Transportation	1,430.9	473.5	21	16	19
Power	872.5	482.4	13	16	14
Water Supply and Sewage	647.3	371.5	9	12	10
Industry	721.0	121.5	10	4	9
Industrial Development and Finance	628.6	48.2	9	2	7
Education	245.5	250.5	4	8	5
Nonproject	301.5	105.0	4	3	4
Urban Development	297.5	12.0	4	-	3
Energy	82.4	30.0	1	1	1
Population and Nutrition	17.0	97.0	-	3	1
Telecommunications	110.0	-	2	-	1
Tourism	66.7	46.5	1	2	1
Technical Assistance	-	29.7	-	1	-
Total	6,989.0	3,021.5	100	100	100

INTERNATIONAL FINANCE CORPORATION

The International Finance Corporation (IFC) assists the economic development of its less-developed member countries by promoting

the growth of their private sectors. It does this by making loans and equity investments in productive private enterprises, by bringing together investment opportunities, domestic and foreign private capital, and experienced management, and by developing local and regional capital markets and promoting privately owned development finance corporations. IFC membership rose to 109 countries during 1979 with the admission of Botswana.

The IFC's capital increase, approved by its Board of Governors in November 1977, is currently being subscribed by member countries. Of the \$480 million allocated for subscription, \$360 million had been subscribed by the end of fiscal 1979. At the end of the fiscal year, a U.S. share of \$112 million (23% of the total) was before the U.S. Congress for consideration.

The Corporation continued to expand its investment activities in 1979, making 48 investments of \$425 million in 33 countries. This was a 25% increase in financial volume and a 17% increase in the number of projects over the previous year. IFC investments represented about 20% of the total costs of these projects, with the remainder being financed from other, primarily private sources.

International Monetary Fund

Membership in the IMF rose to 140 countries in 1979 with the accession of St. Lucia and St. Vincent and the Grenadines. Members' quotas in the Fund totaled just over 39 billion Special Drawing Rights (SDR's) at the end of 1979. The U.S. quota of SDR 8.4 billion represented 21.6% of total quotas. No additional SDR's had been issued in recent years; however, on December 11, 1978, the Board of Governors approved the allocation of SDR 4 billion each year in 1979, 1980, and 1981.

In 1978, drawings on the IMF totaled over SDR 3.7 billion, about the same level as that registered in the previous year. At the end of the year, net drawings outstanding amounted to almost SDR 9.7 billion, a sharp decline from the SDR 13 billion outstanding at the end of 1977.

QUOTA INCREASES

The Sixth General Quota Increase came into force on April 1, 1978, as 86 members, accounting for 78.65% of total quotas, had approved the full increase of their quotas. The increase brought total IMF quotas up to SDR 39.0 billion by September 13, 1978.

On December 11, 1978, the Board of Governors approved a resolution to seek a 50% increase in the overall size of IMF quotas. This

Seventh General Quota Increase was approved to improve the Fund's liquidity position and meet the large payments imbalances expected over the next several years. If the increase is approved by the membership, IMF quotas will increase from SDR 39.0 billion to SDR 58.6 billion. The proposed increases will become effective on the latest of the following dates: the date of the member's approval, the date of payment of the increase, or the date on which members constituting three-fourths of total quotas on November 1, 1978, have approved their increased quotas. No change in Fund quotas, however, will become effective between July 1, 1980, and October 5, 1980, when the 1980 annual meeting will be held. As of July 30, 1979, 15 countries had approved the increase: Bolivia, Botswana, Chile, Denmark, Ecuador, El Salvador, Guatemala, Iceland, Indonesia, Malawi, Malaysia, Nepal, Paraguay, the Philippines, and Sweden.

The Executive Board does not intend to propose a further general adjustment of quotas for 5 years (until December 11, 1983) unless there is a major change in the world economy and external financing needs.

SPECIAL DRAWING RIGHTS

In 1979, the implementation of several recent decisions to promote the SDR's as the principal reserve asset in the international monetary system was begun. The Interim Committee of the IMF in September 1978 had decided (1) to increase the volume of SDR's used as reserve assets by resuming allocations of SDR's to member countries, (2) to improve the rate of interest on the SDR, and (3) to liberalize the conditions under which SDR's can be used.

On December 11, 1978, the Board of Governors of the IMF had decided that allocations of SDR's should be resumed. Each January 1 of 1979, 1980, and 1981, SDR 4 billion will be allocated among Fund members, with each country's share determined by its proportion of the total IMF quotas. Under this formula, the United States received SDR 874 million in 1979.

CONSULTATIONS WITH MEMBER COUNTRIES

Under the Second Amendment of the Articles of Agreement, which became effective on April 1, 1978, each member must consult with the IMF on a yearly basis under article IV. These consultations cover an overview of the members' economic policy, with special consideration given to exchange rate policy. Under the Fund's guidelines, each member is enjoined to intervene on exchange markets to avoid

disorderly market conditions and to avoid using its exchange rate policy to gain an unfair competitive advantage over other members. In financial year 1978-79, the Fund completed 70 regular article IV consultations.

GOLD SALES

The IMF sold 13.5 million ounces of fine gold in financial year 1978-79, the third year of its 4-year program of gold sales. Eligible member countries acquired 6.5 million ounces; and 7.16 million ounces were sold to both competitive and noncompetitive bidders at public auctions.

Of the 50 million ounces to be sold during this 4-year period, 25 million are to be sold at public auctions to finance the Trust Fund, which is for the sole benefit of developing countries. The other 25 million ounces are to be restituted to members (i.e., sold at the official price of SDR 35 per ounce to countries that were members on August 31, 1975, in proportion to their Fund quotas).

Food and Agriculture Organization

In 1979 the FAO continued to work within the policy guidelines proposed by its Director General, Edouard Saouma (Lebanon) and endorsed by the FAO Conference in 1977 and by its Council, including the United States, in 1978. The guidelines call for (1) greater emphasis on assisting developing member nations in their efforts to obtain financial resources for investment in food and agricultural production; (2) continuation of the Technical Cooperation Program (TCP) to give FAO an immediacy and flexibility of action in response to the urgent, short-term needs of member nations, particularly in maximizing their development efforts, by filling gaps in resources, complementing other sources of external assistance, and catalyzing investment in agriculture and rural development; (3) emphasis on decentralization from Headquarters to the country level, including the gradual appointment of FAO country representatives, to forge closer and more fruitful contacts between member nations and the Organization and to bring FAO closer to concrete programs at the country and rural level; (4) a revision in programs to move the emphasis away from theoretical, diffuse, and long-term studies toward more practical, concrete actions directed at results at the country level, including training opportunities in rural areas; and (5) reduction in the number of meetings, publications and documents, and staff positions of FAO.

U.S. POSITION

The United States generally has supported these objectives, particularly those emphasizing investment, decentralization, and practical action at the country level. In addition, the United States has endorsed programs for the prevention of postharvest losses and for assistance in the drought-stricken Sahel region in Africa, providing extrabudgetary support. Consistent with the basic human needs approach which underlies its foreign assistance programs, the United States has urged the FAO to give higher priority to nutrition improvement programs. In 1979 the United States also endorsed FAO's efforts to increase food and agricultural production, especially in the low-income, food-deficit countries, placing emphasis on developing food sector strategies at the national level and international agricultural research and on maintaining croplands against erosion, depletion, and degradation. The United States stressed the need for adequate food distribution systems, for strengthening world food security, and for promoting rural employment. At the same time the United States has emphasized the need for a careful balancing of programs against available resources and moderation in budgetary growth.

Abstaining on the adoption of the \$278 million budget for the 1980-81 biennium, the United States continued to advocate fiscal restraint, urging the FAO Secretariat to reduce or eliminate programs of marginal value and to concentrate more resources in a few areas of high priority. The United States continued to question the use of FAO-assessed budget resources for technical assistance (except for genuine emergencies and programs benefiting many nations) and to underscore its preference for using voluntary contributions for FAO technical assistance projects.

FAO CONFERENCES, COUNCIL, AND COMMITTEES

The United States participated in a number of FAO meetings in 1979, the most important of which was the 20th session of the FAO Conference in Rome November 10-28. The Conference meets biennially to approve the Program and Budget and to consider other important matters concerning the Organization. The U.S. Delegation was headed by Secretary of Agriculture Bob Bergland. Representatives from some of the major developing countries expressed concern that the proposed 1980-81 budget of \$278.74 million (representing a net program increase of 5.8% over the 1978-79 biennium) was too low, while several developed countries noted the continuing budget increases in the UN system generally and the need for economies. A

signal was communicated to Director General Saouma to exercise fiscal restraint by the vote on the budget, when the United States, joined by five other countries (Canada, Federal Republic of Germany, Japan, Mexico, United Kingdom), abstained. At the same time, the United States gave solid support to the FAO Secretariat and staff for the Organization's substantive programs.

In addition to the Conference, the United States participated in the 75th, 76th, and 77th sessions of the FAO Council, which met June 11-22, November 6-8, and November 29 to review certain activities of the Organization, to prepare for the Conference, and to follow up on Conference decisions.

The United States also was represented in the Committees of Agriculture and Fisheries as well as in a number of inter-governmental groups on commodities, including hard fibers, jute, tea, oilseeds, grains, and meat.

WORLD FOOD SITUATION

According to FAO estimates on global food production in 1979, if there were any increase at all at the world level, it was the smallest since 1972. A decline in production was estimated for the developed countries as a whole in 1979, in spite of a large rise in output in the United States. Although results generally appeared to have been better in the developing countries, large expansions were expected only in China and Latin America, and production was estimated to have fallen slightly in the densely populated developing market economies of the Far East. The 20th FAO Conference expressed concern that there still was no evidence of a reduction in the incidence of hunger and malnutrition and that in 50 of the 106 developing countries, production had failed to match population growth in 1970-78.

At the FAO Conference, Director General Saouma, in speaking of the world food situation, stated that he had hoped to be able to report progress since the somber situation reported 2 years earlier but that in nearly all respects the situation had deteriorated further. He noted that a major aspect of the deterioration had been the unusual number of natural disasters and emergencies in the last 2 years. He cited the desert locust plague in large parts of the Near East and Africa and the outbreak of African Swine Fever in certain countries of the Mediterranean and Latin America. He expressed particular concern over the situation in Kampuchea and surrounding areas, which he called an unparalleled tragedy, and referred to the relief operations underway in which FAO and the whole UN system were participating.

WORLD FOOD SECURITY

Following the adjournment without agreement in February 1979 of negotiations for a new international grains arrangement, the FAO Director General proposed a Five-Point Plan of Action for implementing the International Undertaking on World Food Security. This Plan of Action was welcomed by the UN Committee of the Whole and was adopted by FAO's Committee on World Food Security and by the 75th session of the Council in June 1979 and was approved by the 20th session of the FAO Conference in November 1979. The Five-Point Plan of Action is voluntary in nature but recommends a number of measures to be taken under five general headings: (1) adoption of food grain stock policies; (2) criteria for management and release of national stocks held in pursuance of the undertaking; (3) special measures to assist low-income, food-deficit countries to meet current import requirements and emergency needs; (4) special arrangements for food security assistance; and (5) collective self-reliance of developing countries.

At the FAO Conference, the United States reaffirmed its support for the Five-Point Plan and noted that information had been provided to the Secretariat on U.S. implementation measures. The resolution adopted by the Conference endorsed the Five-Point Plan. It urged that problems impeding the resumption of grain negotiations be solved. In response to a U.S. initiative, two operative paragraphs were considerably altered to make them acceptable to developed countries. The United States had reservations concerning a portion of one paragraph that referred to the option of encouraging the creation of "special regional accounts" for food security. This reservation did not attract critical comment at the Conference.

TECHNICAL COOPERATION PROGRAM

This 3-year-old program funded from FAO's regular budget enables the Organization to respond quickly to certain types of member nation requests, often of an emergency nature. The Director General has broad discretion in authorizing projects under this program.

By the end of 1979, 650 projects had been approved at a total cost of \$46 million. The projects approved during the 1978-79 biennium helped to meet critical situations in Africa (33%), Asia and the Far East (27%), Latin America (26%), the Near East (11%), and Europe (3%). Almost 64% of the total benefited the Least Developed and Most Seriously Affected countries. Emergency projects accounted for 30% of the funds, training for 34%, investment for 14%, and miscellaneous assistance for 22%. An increasing proportion of the program's resources was devoted to emergency projects, 17% in the

1976-77 biennium. While supporting the objectives of the program, the United States has urged tighter criteria for the program, particularly in the supply of physical inputs.

RURAL DEVELOPMENT

At the 20th session of the FAO Conference in November 1979, the Director General reported that FAO was actively helping to develop a number of regional development centers to assist countries to implement the Program of Action approved at the World Conference on Agrarian Reform and Rural Development in Rome, July 1979. He also announced that FAO staff was actively reviewing current and projected field programs to make them more responsive to the Program of Action goals. He estimated that \$20 million would be needed over the next 5 years to finance these activities and that funds would be sought from all member countries on a voluntary basis. A resolution on voluntary contributions, including this funding target, was adopted by the FAO Conference and supported by the United States.

AFRICAN ANIMAL TRYPANOSOMIASIS

The World Food Conference in 1974 called upon FAO to launch a long-term program for the control of African Animal Trypanosomiasis, a disease transmitted by the tsetse fly that infests a 10-million-square kilometer area in more than 30 African countries. The 5-year preparatory phase of a control program set up by FAO in collaboration with the World Health Organization (WHO), the International Atomic Energy Agency (IAEA), and the Organization of African Unity (OAU) was completed in 1979.

The 20th session of the FAO Governing Conference endorsed the activities carried out during the preparatory phase, which have concentrated on training and surveys, and FAO's coordinating role in the forthcoming operational phase of the program. It agreed that the program should be developed within the context of integrated rural development. The United States supported the view that the program should focus heavily on West Africa during its early implementation. The Conference adopted a resolution to establish an advisory Commission on African Animal Trypanosomiasis, which will have open membership. Subsequently, the United States expressed to FAO its wish to be a member of the new Commission.

FISHERIES

The most important new emphasis in the FAO Department of Fisheries in 1979 was the development of an assistance program to

the least developed countries that are involved in implementing newly established zones of extended fisheries jurisdiction. The United States, in meetings of the FAO Committee on Fisheries, has stressed the importance of this issue and the appropriateness of FAO to respond to the needs of the least developed countries. The new FAO program, termed "Comprehensive Program for the Development and Management of Fisheries in Exclusive Economic Zones," was unanimously endorsed by the FAO Committee on Fisheries at its 1979 session and was approved by the FAO Council and Conference in 1979. The program will devote special attention to small-scale fisheries. An estimated \$35-\$40 million will be required over the next 3 years to implement the program. UNDP has pledged nearly \$13 million to finance the program during the 1980-81 biennium. A resolution inviting the Director General to continue to mobilize financial and other assistance for the program was adopted by the FAO Conference in 1979, with the United States joining in the consensus.

Apart from this program, the FAO Department of Fisheries is continuing its assistance in aquaculture development and programs in statistics and resource assessment of particular interest to the United States.

FORESTRY

The long-term goals of FAO's Forestry Program, generally supported by the United States, are to increase the economic and social benefits derived from forestry by emphasizing investment promotion and evolving management systems that harmonize human needs with environmental balance. In 1979 FAO created a new program, "Forestry for Rural Development," implemented largely through redeployment and transfers of resources. The emphasis of the new program is on community forestry, agro-silvo-pastoral development, and fuelwood for rural energy, with a strong focus on field activities. It is anticipated that in 1980-81 the program will give technical support to about 30 field projects to benefit the rural poor.

At the 20th session of the FAO Conference, considerable support was given to the "Jakarta Declaration," which was issued by the Eighth World Forestry Congress hosted by Indonesia in 1978. The Declaration highlighted the need for urgent action to safeguard the world's forest resources with a view to contributing to rural development, providing employment opportunities, promoting the use of wood as a renewable source of energy, maximizing support to agriculture and food production, and maintaining their important role in environmental stability—especially through the control of floods and desertification.

WORLD FOOD PROGRAM

Since its establishment in 1963, the World Food Program (WFP), sponsored jointly by FAO and the United Nations, has specialized in using multilateral food aid for social and economic development and for emergency relief. The WFP's governing body, the Committee on Food Aid Policies and Programs (CFA), meets twice a year to review developments in food aid policies and programs and to improve the framework for international food aid.

The primary policy accomplishment of the 7th session of the CFA in May 1979 was the adoption of Guidelines and Criteria for Food Aid. The guidelines were first considered at the 5th session, but agreement was not reached on their wording. The guidelines are a list of principles to guide the provision of both bilateral and multilateral food aid. They provide, *inter alia*, that food aid should be consistent with the development objectives of recipient countries, should be provided on a multiannual basis in order to allow forward planning, and should be essentially on a grant basis. Furthermore, low-income, food-deficit countries should receive priority; at the same time, recipient countries should make a strong commitment to agricultural development. Priority in allocating food aid should be given to meeting emergency requirements, increasing agricultural—especially food—production, and to nutrition.

At the 7th session, a target of \$1 billion was set for pledges for the 1981-82 biennium. Since current pledges totaled only about three-quarters of the target of \$950 million set for the 1979-80 biennium, the Committee did not think that a higher target was appropriate. Nevertheless, in adopting the target, the Committee specified that it should be seen as a minimum and that if major increases in costs of commodities or transportation occurred, donors would make every effort to surpass the target.

The Committee also made a number of recommendations at the conclusion of the debate on food aid policies and programs, urging donor countries to attain the target of 10 million tons in a new Food Aid Convention and to implement forward planning in physical terms in order to ensure the continuity of food aid. Recipients were urged to continue efforts to program food aid to increase agricultural production. The Committee also appealed for more donations to the International Emergency Food Reserve (IEFR) so that the target of 500,000 tons might be reached.

At the 8th session of the CFA in October 1979, food aid requirements and targets in the 1980's and the role of food aid in food security were examined. The Committee agreed that the projections of food aid requirements (17-18.5 million tons for cereals, 300,000 tons for dairy products and 350,000 tons for vegetable oils) made by

FAO were "useful indicators of requirements for food aid by 1985." With regard to the use of food aid for food security, the Committee endorsed various measures to improve food security infrastructure and recommended using food aid in food-for-work projects in this regard. The Committee did not raise the priority of food security but rather reaffirmed the priorities set out in the Guidelines and Criteria for Food Aid.

The Committee also approved a 1980-81 administrative budget for WFP of \$36 million.

At the second session, the CFA approved a total of 30 new or expanded projects with a value of \$429 million.

For 1979-80, the United States pledged \$220 million in commodities, transportation services, and cash to WFP. Total pledges for the 1979-80 biennium were \$743.5 million as of December 31, 1979, against a target of \$950 million. This compares to pledges of \$708 million for the previous biennium. Pledges to the International Emergency Food Reserve in 1979 amounted to 309.4 thousand metric tons, as compared to 324.6 thousand metric tons in 1978. The United States pledged 125,000 metric tons in each year.

International Fund for Agricultural Development

In 1979, its second year of operations, the International Fund for Agricultural Development (IFAD) provided \$382 million in loans and grants consistent with its basic objective of assisting the developing countries to increase food and agricultural production, with special emphasis on the small farmer, the landless, and the rural poor. As a new international development institution, created to address one of the most difficult problems of our time, IFAD has not only been providing additional resources for food production but has also been making a major effort to assist the governments of recipient countries to evolve strategies and programs that can augment and release the productive capacity of small farmers. This focus is elaborated by a provision in the Fund's lending policies stipulating that at least two-thirds of its resources will go to the least developed countries, defined as having per capita income of \$300 or less in 1976 dollars.

In carrying out its objectives, the IFAD Executive Board in 1979 approved a total of 23 loans for projects in 20 countries—13 more than the 10 approved in 1978. With these 23 loans, total assistance provided by the Fund in the first 2 years of operation amounted to \$500 million. About 80% of this financing was provided on highly concessional terms. Of the 33 projects financed so far, 13 have been in Asia, 12 in Africa, and 8 in Latin America.

During 1978, the 10 projects approved by the Executive Board were all selected from the project pipelines of the World Bank and the regional Banks and cofinanced with them. In 1979, IFAD was able for the first time to finance some projects for which, at the request of the governments concerned, the Fund itself had taken the lead in project identification, design, and preparation, as well as mobilizing additional resources from other agencies where necessary. In addition, IFAD in 1979 played a more active role with respect to projects it cofinanced, working closely with its partners from the early stages of project identification and preparation.

Seven "Special Programming Missions" were undertaken in 1979. Each of these missions has been able to identify certain homogeneous target groups among the rural poor for whom specific investment strategies, supported by policy and institutional measures, have been proposed. Some of these projects and programs are to be submitted to the Executive Board during 1980.

The IFAD Executive Board met four times in 1979: March 26-29, June 26-28, September 18-20, and December 18-20. In accordance with the rules of procedure, the Board sessions were closed and private except for member countries and their alternatives. For 1979, the Board membership was as follows:

	Member	Alternate
Category I (OECD donors)	United States	(no Alternate)
	Japan	Canada
	United Kingdom	Federal Republic of Germany
	Netherlands	Belgium
	Norway	Sweden
	Italy	France
Category II (OPEC donors)	Iran	Indonesia
	Saudi Arabia	Qatar
	Kuwait	United Arab Emirates
	Venezuela	Iraq
	Nigeria	Gabon
	Libya	Algeria
Category III (recipient countries)	Sudan	Senegal
	Sierra Leone	Ethiopia
	India	Sri Lanka
	Pakistan	Philippines
	Cuba	Peru
	Mexico	Honduras

In addition to approving development projects, the IFAD Board also devoted time during 1979 to general issues, the most important of which include technical assistance policy, a permanent seat for the Fund, procurement guidelines, and the 1980 administrative and operating budget. Specifically, the Board agreed that the Fund's technical assistance policy should focus primarily on project-related activities such as feasibility and design studies, but that ongoing research activities directed to the social and economic problems confronted by small farmers should also be given consideration. A committee of Board members was appointed to study and appraise the dozen locations that have been proposed for the Fund's permanent headquarters. Rome will continue to be the provisional headquarters until a final selection is made by the Governing Council. Differences of view among Board members prevented the Fund from adopting its own set of procurement regulations. Until it does so, it will continue to follow the procedures of the collaborating institutions, such as the IBRD, which carry the responsibility for implementing IFAD-funded projects. The 1980 administrative budget, which was subsequently approved by the Governing Council, provided for \$400 million in lending, with increased attention to Fund-initiated projects, and a maximum of \$12.8 million for total administrative expenses. For 1980, total staff was set at 150 employees, including 67 professionals.

UN Educational, Scientific and Cultural Organization (UNESCO)

With the addition of Dominica in January and Equatorial Guinea in November, total membership in UNESCO rose to 147 full member states and one associate member. Dr. Barbara W. Newell replaced Esteban E. Torres as U.S. Permanent Representative with the rank of Ambassador and as a Member of the Executive Board of the Organization.

The General Conference, which meets biennially, did not meet in 1979, but the 45-member Executive Board (which includes the United States) met twice in Paris for its 107th and 108th sessions in April-May and September-October, respectively. These sessions devoted much of their attention to the initiation and preliminary elaboration of the interim 3-year program and budget for 1981-83. They concentrated their efforts on the priority ranking of activities for use as major planning guidelines in accord with the decisions adopted by the 20th General Conference the preceeding year. There was agreement that 1983, the transitional year in which UNESCO is to synchronize its program and budget with the biennial cycle that prevails throughout the UN system generally, and concentrate on UNESCO's activities. Consequently, no net program growth would be shown. In

other developments, the Committee on Conventions and Recommendations, meeting immediately prior to each Executive Board session, began to operate under new procedures to address human rights complaints, related to the restriction of educational, scientific, or cultural activities and freedoms, which UNESCO is asked to consider. These procedures appeared to be opening a promising new avenue in the UN system for advancing human rights.

ISRAEL

Continuing international political differences over the educational and cultural rights of Arabs in the territories occupied by Israel since the 1967 war, and over the cultural and historical character of Jerusalem, were demonstrated at each of the Executive Board sessions in 1979. The 107th session produced a relatively unobjectionable resolution on Jerusalem, and the 108th session condemned Israel for interfering with the administration of matriculation examinations in the Gaza strip. The United States voted against both resolutions as being politically motivated and provocative.

The Jerusalem resolution cited Israel's acceptance of an expert representative of UNESCO who visited the city and commented on the archaeological excavations underway there, but noted Israel's unwillingness to cease archeological excavations in the city. It also urged the Director General to continue monitoring the situation and to report on the matter in 1980.

The resolution on the administration of examinations in the Gaza strip, in the U.S. view, was particularly unwarranted, since the tests had been successfully completed. The interests of the Gaza students in completing requirements for finishing secondary school and applying to Egyptian universities were therefore effectively safeguarded, despite procedural difficulties. The U.S. position was that any misunderstanding over the respective roles of Egypt, Israel, and UNESCO in administering these examinations, originally agreed upon following the 1967 war but now subject to change—in Israel's opinion—as a result of the peace treaty with Egypt, should be worked out by the parties directly concerned in a manner that safeguarded the students' interests and avoided irrelevant political arguments.

COMMUNICATIONS

The concept of the "New World Information Order" (NWIO), a favorite theme of developing countries and the non-aligned, aims to correct perceived inequities in the distribution of information and communication resources. UNESCO has become the primary advocate of this concept in the UN system.

The United States has had a leading role in organizing international efforts, including both the public and private sectors, to study and respond to the needs of developing countries for assistance in communications development. In fulfillment of a U.S. initiative at the 1978 UNESCO General Conference, the United States provided facilities and support for a November preparatory meeting in Washington to set the stage for an intergovernmental conference in 1980 on communications development. With balanced and expert representation from UNESCO as well as from developing and industrialized countries, this preliminary exchange of ideas elicited a variety of viewpoints on the issue and identified the first elements of a growing international consensus on practical measures to increase the information and communications capacities of the developing countries.

In a related area, the United States maintained its active interest and participation in the ongoing work of the International Commission for the Study of Communication Problems, known as the MacBride Commission. The Commission's final report will be issued in 1980 to be considered by the 21st General Conference of UNESCO. The report is expected to propose guidelines for national and international action in the communications field for the next decade. The United States has welcomed the effort as a useful first step in dealing with the entire spectrum of modern communications problems.

SOCIAL SCIENCES

With significant new procedures for handling human rights complaints being embodied in the Committee on Conventions and Recommendations, and with new program initiatives already under consideration by UNESCO following the 1978 Congress on the Teaching of Human Rights, U.S. interest in the UNESCO social science program turned in 1979 to elaborating suggestions for concentrating UNESCO's efforts in this field and for developing better international coordination. These suggestions were intended to carry out the 1978 General Conference's recommendation on programmatic improvement in the social sciences and to help guide preparation of the 1981-83 program and budget as well as the 1983-89 medium-term plan.

U.S. recommendations for major projects were developed, including an international network of research centers studying the conditions of children in various societies; elaboration of the relations between sociocultural goals and developmental, demographic, and environmental factors; and development of specific methodologies for the study of women. Given the small size of the UNESCO social sciences sector budget and the extremely wide range of interests

among the member states, it may be difficult to recast UNESCO's activities entirely in a few major projects, but the U.S. recommendations seem likely to have a strong influence on the grouping and organization of UNESCO's various research and training activities.

In July, an experts consultation in Paris on the future content and direction of UNESCO's social science program benefitted from strong U.S. participation, and an experts symposium on trends in social science research and children was held at the University of Texas under UNESCO sponsorship, with the Hogg Foundation and the University serving as hosts. The symposium's major recommendation concerned establishing a research network to stimulate work on childhood development issues, thus approving and further elaborating an idea first proposed by U.S. specialists.

EDUCATION

The bulk of UNESCO's activities are in the field of education and run the gamut from basic literacy programs, through scientific and technological education, to teacher training and educational policy planning, and also includes the educational aspects of major social concerns such as improving women's opportunities, promoting human rights, and combating drug abuse. Major events during 1979 included signing a convention to recognize studies and degrees offered by European and North American institutions of higher education; convening the 37th International Conference on Education, which marked the 50th anniversary of the International Bureau of Education; holding the first meeting of the new Intergovernmental Council on Physical Education and Sport (ICPES); and beginning preparations for the third European Conference of Ministers of Education, to be held in 1980.

Convention on Recognition of Studies and Degrees

On behalf of the United States, Ambassador Barbara W. Newell, the U.S. Permanent Delegate to UNESCO, signed the Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the European Region of UNESCO in Paris on December 21, 1979. The signing marked the successful conclusion of a strenuous negotiating session, during which a U.S. delegation, broadly representative of American higher educational interests, obtained changes in the draft convention's text, which will ensure that it is compatible with the decentralized structure and locally controlled character of education in the United States. When ratified and implemented, the convention is expected to promote improved voluntary flows of information, thereby increas-

ing mutual understanding and awareness of academic and professional preparation programs in universities and other institutions of higher education throughout Europe and North America. This should serve to facilitate the mobility of students, scholars, and professional people in these areas.

International Conference on Education

The 37th session of the International Conference on Education, sponsored biennially by the International Bureau of Education, convened in Geneva early in July with over 400 delegates from 120 countries attending. The meeting provided an opportunity for useful exchanges of information on the progress of education in the various countries during the 1976-78 period; a 100-page U.S. Office of Education publication on developments in American education over these 2 years was particularly well received. Some special topics discussed were enhancing the efficiency of educational administration as one way to increase the general availability of education and the roles of the family, nonschool factors, and pre-school training in educating children. In the course of the conference, a day was devoted to ceremonies commemorating the 50th anniversary of the sponsoring organization, the International Bureau of Education, which became an affiliate of UNESCO in 1969 after almost four decades of independent existence.

Intergovernmental Committee on Physical Education and Sport

The first session of the Intergovernmental Committee on Physical Education and Sport, held in Paris in June, was attended by representatives of the 30 member states (including the United States) appointed at UNESCO's 20th General Conference in 1978. The Committee considered ways to promote the International Charter for Physical Education and Sport, and to build up and administer the International Fund for Physical Education and Sport. Both the Charter and the Fund, like the permanent Committee itself, resulted from decisions of the 20th General Conference. In addition, at its first session the Committee recommended a UNESCO physical education and sports facilitation program for 1981-83 and considered certain technical problems associated with staging international sports competitions. Recognizing the autonomy of the International Olympic Committee and of the international sports federations and related governing bodies, UNESCO eschews any responsibility for administering international competitions.

NATURAL SCIENCES

The largest part of UNESCO's activities in the natural sciences continues to be concentrated on efforts to increase the indigenous scientific and technological capabilities of the developing countries by supporting scientific and engineering education, technician training, and applied research programs.

Most of the remainder of UNESCO's science activities consist of extensive intergovernmental programs in hydrology, oceanography, geology, ecology, and scientific and technological information.

The International Hydrological Program (IHP), sponsored by UNESCO, involves about 90 countries and several other international organizations, including the World Meteorological Organization (WMO). An Intergovernmental Council of 30 member countries, elected every 2 years, guides and supervises the IHP. Five major categories of activity make up the program: scientific efforts (water cycle studies, water resource assessment, and evaluation of human influence on the water cycle); promotion of education and training; enhancement of data collection and information exchange; technical assistance; and expansion of regional cooperation.

The 3rd session of the Intergovernmental Council took place in Paris during November, at which time the Chief Hydrologist of the U.S. Geological Survey was elected as one of the Vice Chairmen. The session's substantive work focused on reviewing the IHP's first phase (due to end in 1981), and developing a work program for the second phase (1981-83). Overall, the IHP is moving away from an emphasis on the strictly scientific aspects of hydrology toward a more practical concentration on water resource assessment and planning and management, supported as needed by relevant scientific investigation.

The membership of the Intergovernmental Oceanographic Commission (IOC) increased to 103 during 1979 an indication of the growth of worldwide interest in the potential exploration of ocean resources. The 11th session of the IOC convened in Paris from October 15 to November 3 to review the Commission's activities and plan future programs and adopted a resolution to cosponsor (with the Scientific Committee on Ocean Research of the International Council of Scientific Unions) the Committee on Climatic Changes and the Oceans (CCCO). The new committee, headed by Dr. Roger Ravelle, former director of the Scripps Institute of Oceanography in California, will contribute significantly to the ongoing World Climate Program being run by the World Meteorological Organization (WMO). The Assembly also approved a U.S.-initiated program on Ocean Sciences in Relation to Living Resources, which will be conducted in

cooperation with the Food and Agriculture Organization (FAO). In addition, the 11th session gave added impetus to the concept of regionalization in certain IOC activities, a concept enjoying strong U.S. support, especially in regard to the pilot program in the Caribbean and adjacent regions.

Toward the end of the year, Mario Ruivo of Portugal was selected to replace Desmond Scott of the United Kingdom as Secretary of the Commission.

The International Geological Correlation Program (IGCP) entered its 7th year under the joint sponsorship of UNESCO and the International Union of Geological Sciences (ICGS), UNESCO's only joint long-term program. The Program provides a mechanism for the development and conduct of 65 projects. Over 300 U.S. scientists currently participate actively in 26 projects. These projects deal with transnational geologic processes such as mountain-chain formation, mineral resource distribution, causes and extent of glaciation, and also with the improvement of measurements, standards, and techniques. Projects on computer applications in resource studies and uses of remote sensing in mineral exploration, organized and run by the United States, have attracted particular interest, especially on the part of developing countries. The 7th session of the Board of the IGCP was held in Washington in March with the support of the National Academy of Sciences and the Geological Survey.

The United States is one of 95 countries participating in the UNESCO-sponsored program on Man and the Biosphere (MAB), an interdisciplinary applied research coordination effort aimed at resolving natural resources and environmental issues.

The Departments of the Interior and Agriculture have joint responsibility for developing and coordinating domestic participation in the MAB program; the State Department is responsible for overall policy guidance and international coordination.

The sixth session of the MAB Coordinating Council convened in Paris November 19-28 and devoted most of its efforts to evaluating projects on the humid tropics, arid/semiarid zones, urban systems, and biosphere reserves. With 95 countries participating in 906 projects involving some 5,000 scientists, further expansion of the MAB program inevitably will be limited by the capacity of an already over-taxed Secretariat to coordinate the effort properly. Consequently, an intense discussion of the character and orientation of the MAB program ensued during the council meeting, leading to an elaboration of project evaluation/selection criteria that emphasized concreteness,

national commitment, and the potential for interdisciplinary and international linkages.

GENERAL INFORMATION PROGRAM

UNESCO's program to promote worldwide voluntary transfers of scientific—and now also technological—information (UNISIST) has been integrated since 1977 into the General Information Program (PGI), along with previously independent library and archival information activities. Major PGI efforts in 1979 included the second Intergovernmental Conference on Scientific and Technological Information for Development (UNISIST-II) in Paris at the end of May and the second session of the Intergovernmental Council of the PGI in Paris from October 29 to November 2.

In general, UNISIST-II broadened the range of activities of the world science information program to include all technological (including socioeconomic) information, as well as an orientation toward the general public in addition to information specialists and scientific professionals. It thus urged the expansion of UNISIST to embrace all the concerns of the originally more-inclusive PGI.

The second biennial session of the PGI's Intergovernmental Council met primarily to review current UNESCO information activities and also to discuss future projects. A need to further concentrate efforts in accordance with a priority ranking of activities was generally recognized, and approval was expressed for the balance achieved between scientific and technological information efforts and library and archival activities. Fewer but better funded projects seem to be required, despite the expansion of activities recommended by UNISIST-II. This requires careful, ongoing evaluation of projects, closer coordination and involvement with the national efforts of member states as well as related programs of other international organization, and maintenance of the "conceptual framework" approach which stresses methodology, stimulation, and guidance rather than operating systems or services.

In response to the UNISIST-II recommendations, and those of the UN Conference on Science and Technology for Development (UNCSTD), the Council was asked to consider a proposal of the Director General, approved by the UNESCO Executive Board, to undertake a preliminary study of the need for, sources of, obstacles to, and possible international means of providing information on new and renewable sources of energy. The results of the study will be presented at UNESCO's 21st General Conference in 1980 and will also be submitted to the UN Conference on New and Renewable Sources of Energy in 1981.

CULTURE

The preservation and protection of member states' cultural and natural heritages continued to be a major concern of UNESCO, and work went forward on relevant initiatives adopted at the 1978 General Conference, including the launching, under UNESCO's auspices, of international campaigns to safeguard sites and monuments in Malta, Peru, and Haiti and the setting of international standards to protect art objects against theft, vandalism, and other hazards.

A 20-nation advisory committee, established at the 1978 General Conference to facilitate the return of cultural property to countries of origin or restitution in cases of illicit appropriation, studied complaints sent to it by member states and suggested ways and means of facilitating bilateral negotiations between the states involved to resolve the problems.

The World Heritage Committee, established under the World Heritage Convention and composed of 21 member states, held its third session in Cairo, October 21–27, 1979, and approved 45 nominations to the World Heritage List of cultural monuments and natural sites having universal significance. Five of the 45 approved were nominated by the United States—Grand Canyon, Everglades, Kluane, and Wrangell-St. Elias National Parks (the latter two were nominated jointly with Canada) in the natural sites category, and Independence Hall, Philadelphia, in the cultural monuments category. Forty-eight states have now adhered to the World Heritage Convention.

GENERAL ASSEMBLY

On November 1, Senegal introduced a draft resolution, subsequently sponsored by 18 states, which, among other things (1) invited all governments to accede to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted by the General Conference of UNESCO, November 14, 1970; (2) appealed to member states to encourage mass media and educational and cultural institutions to arouse a greater and more general awareness with regard to the return or restitution of cultural property to the countries of origin; and (3) requested the Secretary General to take the necessary steps to associate the United Nations with the activities of UNESCO directed toward the return or restitution of cultural property to the countries of origin, including mobilizing information media of the United Nations for that purpose. The draft was adopted by consensus on November 29 as resolution 34/64.

The U.S. Representative, Mrs. Esther Coopersmith, explained the U.S. vote in the plenary Assembly by saying that the United States supported the return of cultural property and had worked closely with UNESCO in its efforts to establish the Intergovernmental Committee having responsibility for promoting bilateral and multilateral cooperation in achieving this objective. She pointed out that the U.S. judicial system offered redress to individuals or nations alleging that their property had been stolen and was located within the United States. Her country was troubled, however, by a call for governmental interference with mass media, especially in an area where an international organization is already taking constructive action. The United States does not believe that the disposition of all art objects, some of which belong to more than one nation or even to the entire international community, can be predetermined by a general pronouncement.

BUDGETARY AND ADMINISTRATIVE QUESTIONS

For the 1979-80 biennium, the 20th General Conference adopted the largest budget in the Organization's 32-year history—\$303 million. The U.S. share of the budget, less \$12.6 million for miscellaneous income, amounts to \$36.3 million for each year of the biennium, or 25% of the assessed budget.

At the April-May 1979 session of the Executive Board, the United States repeated its previously expressed concern over accelerating budget growth and the fragmentation of UNESCO programs. It called for budgetary restraint in a time of worldwide inflation and urged the Director General to eliminate marginal and obsolete programs and improve the Secretariat's efficiency and productivity in carrying out the programs which remain.

The U.S. offer to fund a study of the relationships between planning, programing, budgeting, and evaluation by an outside management expert was accepted by the spring Executive Board. When the finished study was presented to the September-October session of the Executive Board session, several objections were raised, and a committee, consisting of a Senegalese delegate, a Nigerian delegate, and the American author of the study, was appointed to reconcile differences and to prepare a revised version of the study for consideration at the spring 1980 Executive Board.

The study was prepared by a former Assistant Secretary for Management of the Organization of American States, who also served as adviser on administrative and budget matters at the 20th General Conference and on several Executive Boards. It focuses on strengthening the role of the Executive Board (as the representative of the member states) on overseeing the activities of the Secretariat

in the fields of programing, planning, and budget and evaluation and on stressing rationalization of procedures, simplification of documentation, and budget "transparency." The United States views the study as a landmark in UNESCO's efforts to improve its internal management procedures.

U.S. NATIONAL COMMISSION FOR UNESCO

The U.S. National Commission for UNESCO, created by a joint resolution of Congress in 1946, is comprised of 100 individuals appointed by the Secretary of State (60 representing nongovernmental organizations), from the fields of education, science, culture, and communications. The Commission (1) advises the U.S. Government on UNESCO matters; (2) publicizes UNESCO activities in the United States; and (3) facilitates the participation by U.S. organizations and individuals in UNESCO programs.

As part of its continuing effort to involve the private sector in UNESCO activities and in formulating U.S. policy toward UNESCO, the Commission undertook several activities that have resulted in greater private sector awareness of UNESCO, its activities, and its importance to the United States.

Through its standing committees, the Commission continued to advise the State Department of the feelings and attitudes of professional groups affected by UNESCO's activities in their areas of competence.

In particular, the Commission gave high priority to five principal areas: international communications, human rights, status of women, the environment and culture.

At its annual meeting, held at the University of Georgia, the Commission, along with the Henry Grady School of Journalism and Mass Communication, cosponsored a major conference on international communications issues. Entitled *Toward an American Agenda for a New World Order of Communications*, the Commission brought together more than 100 experts from the private sector to discuss the new challenges in the area of international communications. Chaired by Elie Abel, former NBC correspondent and currently Professor of Communications at Stanford University, the conference arrived at a series of recommendations designed to assist the United States in formulating future policies consistent with its own traditions yet flexible enough to accommodate new international realities. The final report, written by former United Press International Vice President Roger Tatarian, was published as a Commission document and widely circulated. A followup publication, containing summaries of the six papers presented at the conference as well as much of the discussion, is scheduled for publication.

As a followup to the Conference, the Commission is assisting in the creation of a private "communications advisory council," which will bring together representatives of the entire information community. By creating a mechanism to allow for close government/private-sector cooperation, the Commission hopes to contribute to the formulation of future U.S. policy in this area that will be broadly conceived and will enjoy private-sector support.

In the area of human rights, the Commission's standing committee continued to carefully monitor the activities of UNESCO's mechanism for dealing with international human rights complaints.

Because of its high standing within the U.S. human rights community, the committee was selected to prepare a paper on the relationship between disarmament and human rights, to be used at a World Congress on Disarmament Education sponsored by UNESCO.

The Commission continued to provide support to the committee's project to revise social studies curricula to include new units dealing with international human rights. In addition, the committee prepared testimony, forwarded to the Congress, in support of several of the pending UN human rights covenants.

In the area of international women's affairs, the Commission's standing committee on the Status of Women was particularly active in preparing for the UN Mid-Decade Conference on Women. The Commission prepared a series of "Background Notes" dealing with major international women's issues and UN actions and programs geared to women. In addition, the committee held a special seminar on Third World issues and women.

In the field of culture, the Commission-sponsored Center for Technology, the Arts, and Cultural Transformation (TACT), now firmly established at the University of Southern California, continued to flourish. As a consortium of institutions, organizations, programs, and individuals in the fields of culture and the arts, TACT presently embraces some 25 participants, including a support consortium consisting of the University of Southern California, the National Commission, Texas Southern University, Smithsonian Institution, the Native American Council of Regents, and the University of Denver. During the year TACT continued to obtain Federal funding for research projects in the fields of cultural identity and cultural policy. As part of its international activities, TACT specialists participated in conferences and seminars, presented lecture demonstrations, conducted workshops, and engaged in research programs in Australia, Indonesia, Hong Kong, Spain, Germany, Austria, Italy, and Hungary. While continuing its ambitious publication program, TACT also negotiated an agreement with UNESCO to become a major repository for UNESCO documentation in the field of culture.

In the field of environment, the Commission continued to expand the activities of the U.S. Man and the Biosphere Program (MAB). This is a major program of UNESCO designed to develop within the natural and social sciences a basis for the rational use and conservation of the resources of the biosphere and for improving the relationship between man and the environment. The U.S. National MAB Committee, established in 1972, is one of over 90 national MAB Committees working in 14 research project areas dealing with the rational use of the forests, rangeland, water resources, and other related environmental issues. It has the cooperation, participation, and partial funding of the National Park Service of the Department of the Interior and the Forest Service of the Department of Agriculture. The Committee has focused particularly on establishing a global network of biosphere reserves and protected areas for conservation and ecological research. Thus far, 144 reserves in 35 countries have been officially designated, including 29 in the United States. Significantly, the value of the MAB program was recognized by the Office of Management and Budget and the President's Office of Science and Technology Policy, which jointly issued a directive calling for increased support by participating Federal agencies.

Increased benefits to the Commission and to the image of UNESCO in the United States have resulted from a stepped-up outreach program. As part of its domestic activity, the Commission now regularly publishes two newsletters, *Update*, which covers general UNESCO and Commission news, and a *MAB Newsletter*, and sponsors a third publication, *Intact*, which reports exclusively on TACT events and issues. The three publications reach an audience of over 6,500 interested individuals and organizations.

World Intellectual Property Organization

The World Intellectual Property Organization (WIPO) was established by a Convention signed at Stockholm in 1967, which entered into force on April 26, 1970; the United States is a party to the Convention. WIPO is the principal worldwide organization responsible for promoting the protection of intellectual property, which comprises two elements: copyrights (mainly literary and artistic works) and industrial property (mainly patents on inventions, trademarks, and industrial designs). WIPO is also responsible for administering 10 intergovernmental "Unions," each founded on a multilateral treaty. The two principal treaties are the 1883 Paris Convention for the Protection of Industrial Property, which has 88 parties, and the 1886 Berne Convention for the Protection of Literary and Artistic Works, which has 70 parties. The United States is a party to the former Convention, but not to the latter.

Other WIPO-administered intellectual property treaties to which the United States is a party are the Patent Cooperation Treaty, the 1957 Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, the 1968 Locarno Agreement Establishing an International Classification for Industrial Designs, the 1971 Strasbourg Agreement Concerning the International Patent Classification, and the 1971 Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms.

Membership in WIPO is open to any state that is a member of any of the Unions or of the United Nations or its specialized agencies, or which is invited to become a member by the WIPO General Assembly. Four countries joined WIPO in 1979, raising total membership at the end of the year to 88.¹⁸

ADMINISTRATIVE ORGANIZATION

The Paris and Berne Conventions had each provided for an international bureau to serve as secretariat for the Unions. These were united in 1893, eventually under the name of the United International Bureau for the Protection of Intellectual Property (BIRPI). Although BIRPI still has a legal existence for states that are members of one of the Unions but not of WIPO, in practice it has been supplanted by the International Bureau established by the Stockholm Convention as the secretariat of WIPO. WIPO became a specialized agency of the United Nations in 1974.

The International Bureau operates under the direction of the WIPO member states through a General Assembly and a Conference, which meets biennially. The principal administrative organ of the Paris and Berne Unions is the Assembly of each Union, consisting of all the member states. The Paris and Berne Unions elect Executive Committees from among their member states, and the joint membership of these two Committees constitutes WIPO's Coordination Committee, which meets annually and is entrusted with the normal tasks of such a governing body, especially the implementation of the biennial program and budgeting of WIPO. As a member of the Paris Union Executive Committee, the United States continued as a member of the WIPO Coordination Committee through 1979. In 1979, the United States was also a member of the following governing bodies or other organs of WIPO: the General Assembly, the Budget Committee, the WIPO Headquarters Building Subcommittee, the Permanent Committee for Development Cooperation Related to Industrial Property, the Permanent Committee for Development

¹⁸ Barbados, El Salvador, Indonesia, and Uruguay.

Cooperation Related to Copyrights and Neighboring Rights, and the Permanent Committee on Patent Information.

OBJECTIVES

One of the two basic objectives of WIPO is to promote the protection of intellectual property on a worldwide basis. In support of this objective, WIPO encourages the conclusion of new international treaties and the harmonization of national laws; it gives legal-technical assistance to developing countries; it assembles and disseminates information on intellectual property; and it maintains international registration services in the fields of trademarks, industrial designs, and appellations of origin.

The second basic objective of WIPO is to ensure administrative cooperation among the Unions. Centralizing the administration of the various unions in the International Bureau helps ensure economy both for the member states and for the private sector concerned with intellectual property.

TECHNICAL ACTIVITIES

In 1975 the United States suggested that some method be found to monitor the technical efforts of WIPO to ensure against their proliferation and to avoid duplicative efforts.

In 1977 the WIPO Administrative Bodies established a Permanent Committee for Patent Information (PCPI). This Committee, which held its last meeting in October 1979, coordinates all technical activities that previously were undertaken by separate bodies in regard to the revision of the International Patent Classification under the Strasbourg Agreement and the Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT), as well as certain technical activities under the Patent Cooperation Treaty, and various other existing or planned technical activities related to patent information. During 1979, all Working Groups of ICIREPAT, as well as the Plenary Committee and the Committee of Experts of ICIREPAT, was abolished.

During 1979 the United States participated in specific technical activities directed toward publishing the third revised edition of the International Patent Classification, developing cooperative patent search systems and standards under the General and Search Information Working Groups of the PCPI (which replaces those functions formerly in ICIREPAT), improving the International Classification of Goods and Services for the Purposes of the Registration of Marks, and in adopting measures to ensure the smooth working of the Patent Cooperation Treaty under its procedures.

ASSISTANCE TO DEVELOPING COUNTRIES

Activities of WIPO in the field of development cooperation with respect to developing countries continued in 1979 under the direction of two committees composed of developed and developing countries, the WIPO Permanent Committee for Development Cooperation Related to Industrial Property and the WIPO Permanent Committee for Development Cooperation Related to Copyrights and Neighboring Rights. The United States participates in both of these Committees and supports most of their activities, which are numerous and varied.

In connection with the interest of developing countries in technology from all sources, the Expert Group on Information from Patent Documents continued with work stemming from its 1977 meeting, including ways and means of securing technological information from patent documentation relevant to the needs of developing countries. Work has been completed on a revised draft of the Model Law on Inventions and Know-How. The eighth and last experts' meeting was held in March 1979 in Dakar. The first section of the new Model Law was completed by WIPO with the assistance of Working Groups comprised of experts from developed and developing countries. A comprehensive Licensing Guide on the legal aspects of the negotiation and preparation of industrial property licenses and technology transfer agreements appropriate to the needs of developing countries was published in the Arabic, English, French, and Spanish languages and will soon be used by officials in developing countries and in seminars and training courses on a regional and national level. Work progressed toward publication of documents in the Portuguese language, a development opposed by the United States.

During 1979 WIPO continued to provide traineeships to officials from developing countries in the fields of industrial property and copyright. The U.S. Patent and Trademark Office participated by providing training to 11 of the participants. These included six from China and one each from Zambia, Kenya, Tanzania, Ghana, and Brazil.

REVISION OF THE PARIS CONVENTION

In 1979 the United States continued its active participation in the work on revising the Paris Convention for the Protection of Industrial Property, the most important multilateral treaty in this field. In a series of five meetings, which ended in late 1978, the Preparatory Intergovernmental Committee (PIC) on the Revision of the Paris Convention had concluded its preparations for the Geneva Diplomatic Conference, scheduled for February-March, 1980. During

1979 a Provisional Steering Committee and a Working Group established by the Preparatory Intergovernmental Committee met to finalize preparations for the Diplomatic Conference.

The Provisional Steering Committee, composed of 24 countries party to the Paris Convention, including the United States, met in early 1979 to establish the provisional rules of procedure and agenda for the Diplomatic Conference as well as to determine which preparatory documents should be established by the WIPO Director General for the Conference.

The provisional rules of procedure, as proposed by the WIPO Director General for the consideration of the Provisional Steering Committee, did not contain a proposal regarding the voting majority required for adopting a revised text of the Paris Convention by the Plenary of the Diplomatic Conference. In all previous revisions the adoption of a revised text required that no country vote against the text proposed. The Provisional Steering Committee was unable to resolve the question of the voting majority, and the matter was left to be resolved at the opening of the Diplomatic Conference. Other rules forwarded to the Diplomatic Conference stated that all UN countries could send delegations to the Diplomatic Conference but that the right to vote would be limited to delegations of countries party to the Paris Convention.

The Provisional Steering Committee also approved an agenda for the Diplomatic Conference that provides for electing a President for the Conference prior to adopting the rules of procedure and for the Director General to establish working documents for the Conference similar in form and substance to those prepared by the Director General and offered to the Provisional Steering Committee for their consideration.

PATENT COOPERATION TREATY

A total of 27 countries had ratified or adhered to the Patent Cooperation Treaty (PCT) by the end of 1979. These included the 1979 additions, namely Austria, Monaco, Netherlands, Romania, Norway, Liechtenstein, and Australia.

Under the PCT, U.S. citizens and residents may file an international patent application with the U.S. Patent and Trademark Office in Washington. The effect of the international application is the same as if national applications had been concurrently filed with the national Patent Office (including the European Patent Office) of those countries party to the PCT which the applicant designates. The international application is then subjected to a search by the U.S. Patent and Trademark Office for any prior application, and the applicant can then decide, on the basis of the international search report, whether it

is worthwhile to pursue the application in the various countries he has designated. National procedures in such countries are delayed until 20 months after the priority date, unless the applicant asks for an earlier start.

An international application may be a first application or it may be a subsequent application invoking the priority of an application previously filed with the national office of a country party to the Paris Convention or with the European Patent Office. Where protection is sought in any country party to both the PCT and the European Patent Convention, the applicant may seek protection under the national law of that country or under the European Patent Convention.

OTHER ACTIVITIES

A new treaty on the international recognition of the deposit of microorganisms for the worldwide patenting of a microbiological invention was concluded at a diplomatic conference held in Budapest, Hungary, April 14-28, 1977. The United States deposited its instrument of acceptance in 1979. Two other countries, Hungary and Bulgaria, have also ratified the treaty, but it will not go into effect until five countries ratify the treaty. The main feature of the treaty requires that a contracting state depositing microorganisms for purposes of patent procedures must recognize, for such purposes, the deposit of a microorganism in an international depository authority, whether or not such authority is located in the territory of the state. The Treaty will enable a patent applicant to rely on a single deposit of a microorganism. It will also provide assurance that depositories accepting deposits for patent purposes will maintain high scientific standards in handling and storing microorganisms.

World Health Organization

Mrs. Rosalynn Carter, wife of the President, accompanied the U.S. delegation to the annual World Health Assembly in Geneva in May 1979. Mrs. Carter spoke on the subject of mental health to an overflow meeting of the World Health Organization (WHO) Medical Society, a private professional group. She also met with the World Health Organization's Director General, Dr. Halfdan Mahler (Denmark), and other WHO officials to express U.S. interest in and support for WHO programs.

The U.S. delegation was headed by the Honorable Joseph Califano, Secretary of Health, Education and Welfare (HEW). Mr. Califano, in

addressing the 151-member Assembly, reviewed U.S. efforts to promote international health, offered to share with WHO and member states health-related information obtained as a result of the nuclear power accident at Three Mile Island in Pennsylvania, and urged—in light of expected political confrontations at the meeting—that WHO members avoid politics and concentrate on the important issues of health that lay before them.

During 1979, the United States also served on WHO's 30-member Executive Board and its 9-member Program Committee. It is a member of the Executive Committee of the Pan American Health Organization and participates in meetings of that Organization's 32-member Directing Council. It has also participated in the work of the WHO regional committee for the Western Pacific. The United States is also a member of the Governing Council of WHO's International Agency for Research on Cancer in Lyon, France.

"HEALTH FOR ALL"

The World Health Organization in 1979 took new strides toward achieving its goal of "health for all by the year 2000." The Organization had decided earlier that the main social target of governments and of WHO should be "the attainment by all the citizens of the world by the year 2000 of a level of health that will permit them to lead a socially and economically productive life." A conference jointly sponsored by WHO and UNICEF in 1978, at Alma Ata in the Soviet Union, declared that primary health care was the key to this goal. The 32nd World Health Assembly, held in Geneva May 7-25, 1979, decided that the allocation of WHO's resources at all levels should reflect this "overriding priority." The Assembly, which is WHO's principal governing body, endorsed the Declaration of Alma Ata and asked each member government to formulate national policies, strategies, and plans of action to sustain primary health care as part of a comprehensive national health system.

This newly focused WHO approach to health was endorsed by the 34th General Assembly in what observers said was the Assembly's first resolution directly addressing health since the United Nations was created. Resolution 34/58 was introduced in the Second Committee by the United States, the Soviet Union, India, Libya, Botswana, and 13 others from widely scattered parts of the world—reflecting the consensus on this issue that crosses geographical and ideological boundaries—and adopted by consensus in the plenary on November 29, 1979. It urged that member governments consider health to be an integral part of the developmental process, noting that people lacking adequate health cannot fully participate in or contribute to the economic and social development of their nation. It also asked the

Preparatory Committee, which is drafting the new International Development Strategy for the Third Development Decade, to take into account the contribution of WHO.

Stimulated by WHO's approach, in 1979 the U.S. Public Health Service began an effort to apply the "health for all" concept in the United States. U.S. officials assembled a group of experts to identify the gaps in U.S. health services, particularly as they relate to the poor and to minority groups, but also as they relate to the special problems of developed countries: the impact of pollution, cardiovascular problems, cancer, automobile accidents, drug abuse, teenage pregnancy, care of the elderly, and other health issues in U.S. society.

During 1979, WHO also initiated, with U.S. support, a study of the structure of WHO in light of its evolving functions. The study, which was first raised at meetings of WHO's six regional committees, requested new thinking on basic operational issues. These included (1) ways to ensure that member governments apply approved policies, in particular that country requests for WHO technical cooperation conform to the "health for all" priorities that the Assembly has adopted; (2) methods of promoting technical cooperation in health among developing countries and between developed and developing countries; and (3) ways to improve the effectiveness of the annual World Health Assembly, the Executive Board, and the six regional committees. Within the region of the Americas, the United States chaired a committee to determine the reactions of member countries to these and other structural questions.

OTHER HEALTH ISSUES

The 1979 World Health Assembly also took action on a number of other major health questions. In reviewing the WHO program for 1980-81, it urged greater attention to maternal and child health, mental health, and alcohol abuse, both by WHO and by member governments. It expressed concern over the lack of organized anti-malaria activities in Africa, where more than a million children lose their lives to malaria each year. It discussed WHO's new program on chemical safety, the hopes of the United Nations Water Decade for supplying all parts of the world with safe drinking water and sanitation facilities by 1990, the need for better coordination of biomedical research, and efforts to deal with respiratory diseases, leprosy, and emergencies caused by yellow fever and other communicable diseases. The Assembly also adopted a U.S.-sponsored resolution supporting global preparations for the World Assembly on the Elderly, to be held in 1982.

SMALLPOX ERADICATION

WHO's efforts to eradicate smallpox culminated in 1979 with a formal declaration that smallpox has been eliminated. Experts had determined that when 2 full years had passed with no reported cases of smallpox from anywhere in the world, it would be safe to declare smallpox eradicated. The 2 years expired on October 26, 1979, and a commemoration ceremony was held in Nairobi, Kenya, near the site of the last-discovered smallpox case in 1977. President Carter cabled congratulations to WHO Director General Mahler and issued a public statement which said:

The American people should be aware of the gains for our country in this global campaign. We invested an estimated \$27 million over the many years that some 300 persons from the Public Health Service filled assignments overseas, and in direct financial assistance from AID and HEW. Now routine smallpox vaccination is no longer necessary in this country, and there is no risk of smallpox to American travelers abroad. The \$27 million investment is returned every 3 months in savings. . . . I am proud of the results of the smallpox eradication program, and I cite this program as a giant step toward the goal of rational planning for good health throughout the world in the future.

CANCER RESEARCH

The Governing Council of the International Agency for Research on Cancer (IARC), a subsidiary of WHO based in Lyon, France, admitted Sweden as its 11th member in 1979 and adopted a budget for the biennium 1980-81 of \$14,798,000. Members gave strong support to IARC's cancer epidemiology programs and its investigations into the various causes of cancer, including occupational problems such as the use of glass fibers, and possible "life-style" problems such as smoking and certain behavior and dietary patterns. The U.S. delegation stated that IARC had been truly outstanding in researching carcinogenicity and that its work is crucial to a global sharing of information on the causes of cancer. The Council agreed that better efforts should be undertaken to publicize IARC's findings in this field.

INFANT FEEDING

WHO and UNICEF jointly convened a conference of experts on infant and young child feeding in Geneva in October 1979. Concluding that poor infant-feeding practices are one of the world's major problems, the meeting declared that it is a responsibility of society to promote breastfeeding and to protect pregnant and lactating mothers from any disrupting influences. The meeting also called for a new "international code of marketing" regarding products that are used as substitutes for breast milk in the nutrition of infants, partly in

response to public criticism concerning the marketing of infant formula in developing nations. A number of manufacturers of infant formula participated in the meeting. WHO immediately began work on developing the new code.

MIDDLE EAST ISSUES

The May 1979 World Health Assembly was the first major meeting of a UN specialized agency following the Camp David agreement between Israel and Egypt. Leaders of the other Arab States met in Baghdad following that agreement and took decisions designed to punish Egypt and Israel for their peace initiatives. As the World Health Assembly approached, it became clear that these countries would try to suspend the voting rights of Israel under the provisions of Article 7 of the WHO Constitution¹⁹ and try to move WHO's Eastern Mediterranean Regional Office (EMRO) from Alexandria, Egypt, to another Arab State.

The United States strongly opposed both efforts. It stressed to other members that it wanted to protect the peace process, to block penalization of either Egypt or Israel for participation in that process, and to prevent the UN system from being used for political purposes irrelevant to the work of individual agencies. In his address to the Assembly, Secretary Califano urged that all members "remain faithful to our larger commitment to world health and . . . avoid rash actions that can do irreparable harm to the World Health Organization."

The actual debate on suspending Israel's voting rights narrowed down to a procedural question. Ordinarily, decisions to apply Article 7 to a member country could be taken by a simple majority. Canada, with the support of several African, Asian, and Western delegations, called for a permanent amendment of Rule 72 of the Assembly's Rules of Procedure, a rule that lists a number of "important questions" that can be decided only by a two-thirds majority. The Canadian proposal was to add to that list "decisions to suspend the voting privileges and services of a Member under Article 7 of the Constitution."

The proposed amendment had negative implications for the later passage of any resolution against Israel. EMRO member states therefore raised questions about the legality and necessity of the amendment, while others, including the United States, argued that it

¹⁹ Under Article 7, the Assembly may suspend the voting privileges and services of any member state if the member "fails to meet its financial obligations to the Organization or in other exceptional circumstances." The last phrase was to be applied against Israel.

was wholly logical to have suspension of a member's voting rights considered an "important question." Fiji urged that a vote on the amendment be taken by secret ballot so that members could vote according to their consciences and without duress. The motion was approved, 70 (U.S.) to 48, with 14 abstentions. The Canadian resolution to amend Rule 72 was then adopted by secret ballot, 73 to 46, with 15 abstentions. The plenary later adopted this committee decision.

As a result of the new requirement of a two-thirds majority for imposing Article 7, there was a spirit of compromise in the Assembly regarding action against Israel. The Director General of WHO offered to reconstitute a Special Committee of Experts (composed of Indonesia, Romania, and Senegal) to undertake a study of health conditions of the Arab population in the Israeli-occupied territories and to report to the Assembly in 1980. The Assembly then decided, without debate or vote, to accept this proposal and to postpone considering this issue until 1980. The draft resolution aimed at Israel was withdrawn, and for the first time in many years the Assembly adopted no resolution condemning Israel.

The move of the regional office out of Egypt was formally proposed by members of the Eastern Mediterranean Region immediately prior to the Assembly. They stated that severing diplomatic relations with Egypt had made it impossible for them to visit the EMRO office and that WHO health programs were being jeopardized. Some apologized for bringing what appeared to be a political issue to WHO but stated that they had no choice. They asserted that the broad political decision taken by Arab chiefs of state in Baghdad had to be implemented.

Egypt mounted a strong effort to keep the office in Alexandria and argued that WHO's work in the region was undiminished by the existing political differences. Members from other regions, including the United States, argued that political issues irrelevant to health were out of place in WHO meetings; they also contended that moving a regional office had many financial, administrative, legal, and program implications for the entire WHO membership and that the issue could not be decided hastily.

African countries, particularly Nigeria, led a successful effort to reach a compromise. As a result, the Assembly requested its Executive Board to undertake a study of possible effects of moving the office and to report to the Assembly in 1980. The Board, in turn, created a Working Group consisting of one member from each of WHO's six regions (Norway, Mexico, New Zealand, Bahrain, Botswana, and Burma). In 1979 members of the Group visited Alexandria and 10 sites that were offered as alternative locations for the EMRO office and planned to report to the Board in January 1980.

BUDGETARY ISSUES

The 1979 Assembly adopted WHO's first biennial program and budget, with an effective working level of \$427,290,000 for 1980 and 1981. The program and budget previously had been reviewed annually. After allowing for inflation and currency fluctuation, the new budget provided a program increase of 2% above the budgets of 1978 and 1979, or about 1% per year, smaller than had been anticipated. The budget was adopted in committee by a vote of 103 (U.S.) to 6 (U.S.S.R. and Eastern European countries). The decision was endorsed in the plenary. For the biennium 1982-83, the Assembly provided consensus guidance that permits program growth up to 4%, or about 2% per year.

The delegates of the United States and Federal Republic of Germany, while supporting the program design for 1980-81 and praising the economies that had led to only minimal program growth, nevertheless objected to the method of calculating the budget. Programs had been costed at the exchange rate of 1.55 Swiss francs to the U.S. dollar, but at the time of the Assembly the rate had risen to 1.72. The U.S. and F.R.G. delegates argued that this system required member states to pay more than was necessary and that the budget should be recalculated at a rate of 1.72 francs to the dollar, or at a minimum to 1.68. WHO officials replied that the exchange rate was unpredictable and that the current budget should be adopted as prepared so that adequate "insurance" against a later drop in the exchange rate would be provided. The U.S.-F.R.G. effort was defeated in Committee B by a vote of 10 (U.S.) to 30, with 54 abstentions, and later in Committee A by a vote of 18 (U.S.) to 81, with 9 abstentions.

In the Pan American Health Organization (PAHO), which serves as WHO's regional committee for the Americas, the 32-member Directing Council adopted by consensus a 1980-81 biennial working budget of \$75,534,600. This was also the first biennial budget for PAHO.

In addition, the Council approved a supplemental appropriation of \$1,041,400 to provide further support to two animal health centers operated by PAHO, in Buenos Aires and Rio de Janeiro. The United States opposed the appropriation on the ground that the animal health program already occupied a disproportionately large share of the PAHO regular budget and that any need for further increases should be met by voluntary contributions, as PAHO has done on numerous human health problems. Others argued that ministers of agriculture in the hemisphere had verified the need for stronger animal health programs and that their desires should be granted. The supplemental appropriation was approved by a vote of 19 to 5 (U.S.),

with 5 abstentions and 3 absent. The Council also requested an evaluation of the two animal health centers. In other actions, the Council agreed to shift program resources so that more funds could be made available to Nicaragua due to the destruction of many medical facilities during its civil war and to Dominica and the Dominican Republic due to extensive hurricane damage.

International Civil Aviation Organization

In 1979, St. Lucia adhered to the 1944 Chicago Convention on International Civil Aviation, increasing ICAO's membership to 145 states. Unless otherwise stated, all ICAO meetings mentioned in this report were held in Montreal at ICAO Headquarters.

THE COUNCIL AND ITS COMMITTEES

The ICAO Council of 30 member states, including the United States, is ICAO's executive body, which examines and takes final action on the recommendations of most other bodies of ICAO, except the ICAO Assembly. The Council decides on the agenda and convening dates for these other bodies. It also has the important function of adopting the international Standards and Recommended Practices, which make up the 17 different ICAO Annexes in various fields of aviation.

During 1979 the Council adopted amendments to Annex 10 (Aeronautical Telecommunications), Annex 11 (Air Traffic Services), Annex 14 (Aerodromes), and Annex 17 (Security). The Council's action on the first three of these Annexes was based on the recommendations of the Air Navigation Commission. The recommendations for the proposed amendments to Annex 17 were prepared by the Committee on Unlawful Interference. In the fall, the U.S. Representative was elected chairman of this committee.

In May all ICAO member states were urged by the Council to refrain from action that would prohibit, prior to January 1, 1988, flights into and out of their territory by foreign subsonic jet aircraft not certificated to ICAO noise standards. The Council also asked states to limit any post-1988 prohibitions to those airports that are especially sensitive to aircraft noise. In reaching this decision, the Council had before it reports by states on their own policies and programs to alleviate the problem of noisy jet aircraft at airports. Some states believed international action was not necessary. Others, like the United States, wanted to ban the operation of foreign as well as their own registered non-noise-certificated subsonic jets after a cer-

tain date. The U.S. and Australian date is January 1, 1985, and the Canadian date is January 1, 1986. However, the target date for member states of the European Civil Aviation Conference is before January 1, 1988. The practical effect of the Council's action is to give international operators of noisy jets the choice of replacing them with newer, quieter aircraft or retrofitting them with quieter engines or noise-muffling equipment. The United States objected to the Council's action, since it was not in accordance with U.S. policy.

The Council oversees the administration of ICAO. Early in the year, under a new procedure, a new Director of the Air Navigation Bureau was selected by the Council. He is a U.S. national and former employee of the Federal Aviation Administration.

AIR NAVIGATION MEETINGS

Two meetings of the ICAO North Atlantic Systems Planning Group were held at ICAO's Paris office in 1979; the first February 19-March 2, and the other October 1-10. Both meetings were attended by members from the United States, Canada, France, Ireland, Netherlands, and the United Kingdom and observers from Denmark, Iceland, Norway, Portugal, Spain, U.S.S.R., the International Air Transport Association, and the International Federation of Air Line Pilots Associations. The main agenda item considered reducing from 120 to 60 nautical miles the lateral separation between aircraft in airspace over the North Atlantic where minimum navigation performance specifications (MNPS) apply. As in several previous meetings, the Group once again concluded that the proposed reduction was not yet feasible. By the time of the second meeting, navigation performance had been observed by radar monitoring to have met MNPS requirements. However, a newly recognized group of errors had occurred involving misunderstandings between pilots and air traffic controllers regarding routes to be flown. Corrective action was devised. The Group believes this action will be effective so that reduction in lateral separation to 60 nautical miles can be achieved in 1980.

The sixth meeting of the ICAO Committee on Aircraft Noise was held May 23 to June 7 with members from 12 states, including the United States, and observers from 3 states and 4 international organizations in attendance. The principal accomplishments of the meeting were (1) the development of noise standards for helicopters; (2) extension of ICAO Annex 16 noise standards to certain heavy propeller aircraft not now covered; (3) increased stringency in ICAO standards for derived versions of subsonic jet aircraft; and (4) retention of present guidelines in Annex 16 for future supersonic transport aircraft. These results were in close accord with the U.S. position.

A worldwide Accident Prevention and Investigation Divisional

Meeting, held from September 4 to 20, was attended by 54 ICAO member states, 1 non-member state, and 3 international organizations. This fifth session of the Division adopted a definition of accident prevention, proposed certain definitions related to accident prevention, and decided that the basic purpose of accident prevention was to complement existing administrative safety-related procedures. Guidelines for an ICAO Accident Prevention Manual were approved that would assist states in their individual programs. Recommendations were made to ensure better use of ICAO's accident/incident computer data bank, which contains more than 7,000 such reports (ADREP). Changes were also proposed to ICAO Annex 13 (Aircraft Accident Investigation) to strengthen the role of the accident investigation authority and to encourage the direct exchange of final reports between states. The Division recommended that ICAO determine the need for automatic radar recording equipment to augment the data for accident investigations and for technical specifications of such equipment to be included in ICAO regulatory documents. Formation of an ICAO flight data study group was recommended to develop criteria for flight recorder requirements for air transport and general aviation aircraft and to consider the possible replacement of mechanical recorders with more advanced electronic flight recorders. The United States opposed the latter portion of this recommendation.

Agreement was reached by the 13th meeting of the ICAO Airworthiness Committee, October 29-November 9, on proposals for amendment of the guidance material in the ICAO Airworthiness Technical Manual relative to aircraft fatigue strength criteria and continuing structural airworthiness. U.S. proposals were essentially accepted. Some agreement was reached by the Committee on a proposed amendment to the Manual that would minimize hazards from shrapnel from uncontained engine failure, i.e., turbine engine debris. The United States agreed that some of the general guidance material proposed by a group of European countries would be beneficial but strongly opposed including in an appendix to the manual explicit definitions of engine failure models and statements on acceptable risk levels until further study could be made. However, a majority voted in favor of including the controversial material in a new appendix. An important proposal adopted for the Committee's future activities was a review of the section of Annex 8 (Airworthiness of Aircraft) on exchange of safety information. The United States strongly supported this proposal because of its potential for a short-term contribution to aviation safety.

The sixth Africa-India Ocean Regional Air Navigation Meeting, held at Arusha, Tanzania, November 20-December 12, was attended by 53 ICAO member states and 8 international organizations. The

meeting was charged with reviewing and updating the regional plan for international air navigation services and facilities. No significant changes to the airspace organization were recommended. However, a special planning group will be formed in 1980 to study traffic flows and the possible effect of shifting the hemispheric separation pattern. The meeting rejected the painstaking and difficult work of its Communications Committee on Very High Frequency (VHF) assignments for the aeronautical mobile service. Instead, the existing plan will be retained. The ICAO Regional Offices will revise the frequency assignment plan on the basis of submissions by states. Priority will be given to protecting frequencies already implemented. Among the more important recommendations of the meeting were those calling for the forming of a regional planning and implementation group and creation of posts for implementing officers in the ICAO Regional Offices at Cairo and Dakar. The status of implementation of the regional plan was acknowledged by all to be seriously deficient. Only 42% of the new requirements agreed to by the fifth Africa-India Ocean Regional Air Navigation Meeting in 1973 had been implemented by the time of the 6th Meeting.

In addition to the foregoing, there were several small ICAO technical meetings, such as the Air Traffic Services Data Acquisition and Transfer Panel, dealing with highly specialized subjects.

AIR TRANSPORT MEETINGS

The second and third meetings of the Panel of Experts on Regulation of Air Transport Services were held April 2-12 and October 15-26, respectively. The Panel agreed that dynamic changes in the marketplace made impossible the establishment of a static definition covering all scheduled international air services as distinguished from nonscheduled services. The Panel therefore agreed to retain the Council's 1952 recommended definition but with a footnote so that programed charters could be considered scheduled services. The Panel developed guidelines for predetermining the capacity of international air services. Model clauses used in bilateral air transport agreements were also developed for three types of regulation of capacity; (1) predetermination, (2) *ex post facto* determination, and (3) free-determination. The United States advocated the latter type and explained that capacity should be regulated by market forces if optimal allocation of resources is to be achieved.

The fourth meeting of the Fares and Rates Panel, held September 24-October 12, made recommendations on airfreight tariffs and reviewed earlier ICAO recommendations on international air fares. With some exceptions, the Panel found that its earlier recommendations on fares for passenger services retained their validity. However,

the Panel was of the opinion that the 1977 Special Air Transport Conference's recommendation calling for simplification of the fare structure and types by the International Air Transport Association should no longer be directed against the number of fares. The increase in the number of fares could be related to valuable innovation and would in any event be likely to continue because of fundamental movements taking place in international aviation. The recommendations of both the Fares and Rates Panel and Air Transport Regulation Panel will be examined at the ICAO second Air Transport Conference in February 1980.

FACILITATION DIVISION

The ninth session of the Facilitation Division was held April 10-May 4 with 79 ICAO member states, 1 non-member state, and 9 international organizations attending. This session covered formalities connected with the entry and departure of aircraft, persons and cargo in international air transportation, and facilities and services at international airports. In general, U.S. positions were upheld on formalities connected with the entry and departure of cargo and other articles. Recommendations approved related to electronic data-processing techniques and expeditious clearance of export and import cargo. Likewise, most U.S. positions were upheld concerning the entry and departure of persons. In line with the U.S. procedure, the Division voted to upgrade to an international standard the provision in Annex 9 (Facilitation) calling for ICAO member states to issue passports valid for at least 5 years and to renew or replace them for the same period of validity. The Division approved a recommendation that the ICAO document "International Signs to Facilitate Passengers Using Airports" be reviewed and reissued to incorporate newly developed signs accepted in other international forums. The United States opposed a recommendation, introduced by Denmark and the Federal Republic of Germany, that states whose international airports experience traffic-peaking problems should, using the machinery of airport scheduling committees, notify airlines well in advance of any restrictions that may be invoked in order to fit the capacity of the airport to the traffic offering. The United States supported a recommendation, introduced by several Latin American States and Spain, calling on the ICAO Council to study the various systems of collecting passenger service charges.

LEGAL COMMITTEE

The 24th session of the ICAO Legal Committee was held May 7-18. Fifty-one states and five international organizations were

represented. The only substantive item on the agenda was consideration of the legal implications for air law conventions of the draft Convention on International Multimodal Transport. The draft convention included all modes of transport. The U.S. position reflected the views of the U.S. air carriers that (1) the Convention has no benefits for air shippers; (2) the Convention would create substantial harm to air shippers in terms of facilitation and possible lower limits on liability; (3) there is no good reason why air shippers should be covered by the Convention; (4) any attempt to modify the Convention to make it compatible and less harmful would be extremely complicated and time consuming; and (5) the Convention would hamper electronic data processing of documents because of different data used by the various modes. In line with this position, the Committee concluded that many fundamental problems had to be resolved before the air mode could be satisfactorily included in the draft Convention.

Intergovernmental Maritime Consultative Organization

Dominica, Djibouti, Gambia, Mozambique, Nepal, and Yemen joined IMCO during 1979, bringing the total membership to 113 full members and 1 associate member.

ORGANIZATION

Since its inception in 1959, IMCO has had its headquarters in London. The purposes of IMCO are to provide a forum for cooperation among maritime states in technical matters of all kinds affecting shipping engaged in international trade; to encourage the adoption of the highest practicable standards of maritime safety, efficiency of navigation, and the prevention and control of marine pollution from ships; to remove discriminatory restrictions affecting shipping engaged in international trade; to consider any matters concerning shipping referred to it by the United Nations; and to exchange information among governments on technical matters concerning shipping. The principal products of IMCO are conventions, agreements, and other suitable instruments adopted by member governments at IMCO biennial assemblies or at diplomatic conferences convened by IMCO.

The work of IMCO is accomplished through various forums; the Assembly, consisting of the full membership; the Council, with a membership of 24; the Maritime Safety Committee (MSC); the Marine Environment Protection Committee (MEPC); the Legal, Facilitation, and Technical Cooperation Committees; and various technical subcommittees of the MSC and MEPC. Each of the com-

mittees consists of the full membership of the Organization. Proposals initiated in subcommittees are referred for review to the appropriate committees, and proposals of the committees are reviewed by the Council and referred to the Assembly for final approval. Major conventions are elaborated and adopted by plenipotentiary conferences.

COUNCIL

The 42nd Council session, May 21-25, considered a number of items of interest to the United States including an amendment of the rules of procedure to provide observer status for the PLO and other "national liberation movements," the possible modification of the formula for assessing member contributions to IMCO, and the adoption of the 1980-81 work program budget.

Controversy over granting observer status to the PLO and other "national liberation movements" was avoided through advance coordination by the IMCO Secretary General who found a formulation that would be acceptable to all members of the Council. By the time of the Council meeting, the Secretary General had worked out an amendment to the rules of procedure granting observer status to "liberation movements recognized by the Organization of African Unity and the League of Arab States." The amendment was approved without discussion and without a vote.

The Council had before it a report of the *Ad Hoc* Working Group on Assessments, which had been convened to consider proposals for revising the formula for assessing member state contributions to IMCO. The present formula is based primarily on gross registered tonnage of shipping. The initiative for this review came from Liberia, which is assessed at approximately 17% of the budget. The *Ad Hoc* Working Group had not been able to reach agreement on a new basis for making the assessments, and the matter was discussed at length in Council. The United States was among those opposing the Liberian proposal for a new formula. The chair ruled that the majority of the Council did not support the Liberian proposal and that the Council, therefore, had decided to recommend "no change" to the Assembly.

For the first time since the Organization was established, the Council decided to recommend to the Assembly a reduction in the 1980-81 work program from the level approved for 1978-79. This reduction resulted from a U.S. initiative. It was acceptable to the Council on the basis that the earlier years had been highly productive in negotiating new international agreements and amendments to the IMCO Charter and that the Organization should now devote itself to realizing the benefits of these accords by working for their ratifica-

tion and implementation. The net result was a decision to reduce meeting weeks for 1980-81 to 48 from 61½ weeks as had been proposed by the Secretary General to the Council session.

The Council held its 43rd regular session on November 16 to elect a Chairman and Vice Chairman for the next biennium. Commissioner W. A. O'Neil (Canada) was elected Chairman by acclamation to succeed Rear Admiral (Ret.) R. Y. Edwards (U.S.). Election of a Vice Chairman was postponed until the next regular meeting of the Council, scheduled for June 1980.

ASSEMBLY

At its 11th regular session, November 5 - November 16, the Assembly elected Rear Admiral (Ret.) R. Y. Edwards, of the United States, Assembly President by acclamation. The major institutional items at the Assembly were the assessment formula question (discussed earlier by the Council), elections to the Council, and expansion of the Council from 24 to 32. The Assembly noted and approved the reports of the various committees and adopted the 1980-81 work program and budget as recommended by the Council.

The U.S. delegation again vigorously opposed the Liberian proposal to amend the assessment formula. After prolonged debate, the proposal was rejected and the Assembly decided without a vote to refer the whole assessment formula question to a working group, which would report to the 1981 Assembly.

The United States was reelected to the Council without difficulty. Liberia was also seeking reelection but failed to achieve this goal on the first round of balloting. As a result of the conviction of the U.S. delegation that the presence of Liberia on the Council was essential if the body were to be effective, the delegation took the unusual step of speaking in support of the Liberian candidacy. Ultimately, the following 24 states were elected: Brazil, Canada, China, Cuba, Egypt, France, Federal Republic of Germany, Greece, India, Jamaica, Japan, Kuwait, Liberia, Morocco, Nigeria, Norway, Pakistan, Panama, Peru, Poland, Spain, U.S.S.R., United Kingdom, and the United States. An amendment to the IMCO Charter expanding the Council from 24 to 32 was approved by the Assembly to be submitted to member states for ratification.

An unanticipated item concerning "Criminal Barratry and Unlawful Seizure of Ships and their Cargos" was placed on the agenda at the request of Lebanon. It was agreed that governments should take appropriate steps to prevent and suppress such acts, subject to applicable national and international law. It was also decided that the Council should undertake a study to determine appropriate steps by IMCO and report to the next Assembly.

MARITIME SAFETY COMMITTEE

The 40th session of the Maritime Safety Committee (MSC) was held May 7 - May 11, 1979. Forty-four member states participated. The Committee discussed establishing an effective tanker casualty scheme and agreed that the highest possible importance should be attached to the early establishment of such a scheme, with later expansion to include all types of ships of 100 gross registeral tonnage or over. The Committee also approved amendments to the International Code of Signals, the International Maritime Dangerous Goods Code and its annexes, and the Gas Carrier Codes. A recommendation on uniform interpretation of the technical terms used in the 1969 Tonnage Measurement Convention was approved for circulation to member states, and an amended traffic separation scheme was adopted. In all cases, actions were taken with the support of the U.S. representatives.

MARITIME ENVIRONMENT PROTECTION COMMITTEE

The Maritime Environment Protection Committee (MEPC) held its 11th session June 11-15, 1979. The Committee reviewed the status of all marine pollution conventions for which IMCO is the depository or performs secretariat functions. The Committee attached particular importance to promoting the early ratification and entry into force of pollution conventions, particularly the 1973 Convention on Prevention of Pollution from Ships (MARPOL 73). The Committee also spent considerable time discussing ways and means to enhance IMCO's technical assistance program in the field of maritime pollution. IMCO activities, which are funded by voluntary contributions outside the Organization's assessed budget, include seminars on implementing relevant conventions, preparing training films, and funding travel of technical consultants to countries needing assistance.

LEGAL COMMITTEE

The Legal Committee held its 38th, 39th, 40th, and 41st sessions February 19-23, 1979, May 29-June 1, 1979, June 4-8, 1979, and October 1-5, 1979, respectively. In 1979 the Committee completed its preliminary consideration of draft articles for a convention on liability and compensation in connection with the carriage of various and hazardous substances by sea. It was agreed that this should be included on the agenda of a diplomatic conference expected for 1982. The Committee continued to study legal problems which had arisen from sinking of the *Amoco Cadiz* in March 1978. The Committee

agreed that a proposed investigation of salvage problems to be undertaken by the Comité Maritime International should not include questions of coastal state intervention or the control of salvage operations by public authorities in the context of intervention, since the Legal Committee itself would deal with these matters.

TECHNICAL COOPERATION COMMITTEE

The Committee held its 17th session on May 17, 1979. After reviewing the technical cooperation activities of IMCO, all of which are funded by voluntary contributions, the Committee recommended that IMCO member governments in the UNDP Governing Council support the continuance of IMCO interregional advisory posts funded by UNDP. The Committee also recommended that the technical assistance program be continued and expanded.

International Telecommunications Union

During 1979, no countries acceded to the International Telecommunications Union Convention. Total membership at the end of 1979 remained at 154 members.

ADMINISTRATIVE COUNCIL

The Administrative Council, of which the United States is a member, held its 34th session in Geneva, June 4-22. As a result of Council action to pare the Secretary General's proposals for the 1980 budget, the value of a contributory unit in 1980 will remain at the 1979 level, i.e., 126,400 Swiss francs per contributory unit for member administrations. As the United States has a 30-unit membership, its contribution for 1980 will remain at the 1979 level of 3.79 million Swiss francs, or just over 7% of the total membership assessment. This result was achieved by withdrawals from the reserve account and reductions in the Secretary General's proposals totaling about 1.35 million Swiss francs.

OTHER PERMANENT ORGANS

The permanent technical organs of the ITU—the International Radio Consultative Committee (CCIR), the International Telegraph and Telephone Consultative Committee (CCITT), and the International Frequency Registration Board (IFRB)—were all active during 1979.

CCIR's Study Groups pursued their program of work as updated from 1974 by the 14th plenary Assembly in mid-1978. The CCIR studies and develops recommendations on the technical and operating aspects of all forms of radio communications.

CCITT's Study Groups neared completion of their work for the period 1977-80 pursuant to the program approved for them by the seventh plenary Assembly of the CCITT in 1976. Studies of technical, operating, and tariff questions with respect to telegraphy and telephony are being undertaken to further the development of recommendations that largely govern the operation of the world's telecommunication networks. The CCITT will meet again in plenary Assembly in November 1980 to approve the work completed in the current period and to establish a new program of work for the eighth plenary.

The essential function of the IFRB is the technical examination and registration of radio frequency notifications, including those for space telecommunication systems, in order to ensure interference-free operations throughout the world. The IFRB and its staff continued to carry out this function fully and effectively.

TECHNICAL ASSISTANCE

As a UNDP executing agency, the ITU assists developing nations to improve their telecommunication capabilities by establishing and staffing training institutes, through a program of technical telecommunication seminars, by recruiting technical experts from developed countries, including the United States, to advise on specific telecommunication projects and to conduct studies in developing countries.

Mention should be made of the "Special Autonomous Working Parties" (GAS), established to consider questions of particular interest to the developing countries. The GAS has published technical manuals on rural telecommunications and network planning, transmission systems, and economic conditions and telecommunication development, which are much sought after by developing countries. An additional manual on economic and technical aspects of the choice of switching systems is nearing completion.

A working group called for in 1978 by the 33rd Administrative Council to study the Union's technical cooperation activities was established at the 1979 Council meeting. The terms of reference for the working group provide for a review and assessment of all ITU technical cooperation activities since 1973 and for recommendations, as necessary and appropriate, for improving the Union's capability to discharge its duties as set forth in Article 19 of the Convention. The working party met during the 1979 Council session and will meet again in subsequent Council sessions up to the time of the 1982 Plenipotentiary Conference.

WORLD ADMINISTRATIVE RADIO CONFERENCE, 1979

The World Administrative Radio Conference (WARC), convened under the auspices of the ITU, was held in Geneva September 24–December 6, 1979. This conference, which was the most important as well as the largest ever organized by the ITU, was attended by some 2,000 delegates and observers from 142 countries and 30 international organizations. The purpose of the 1979 WARC was to make a general revision of the ITU Radio Regulations. The primary areas of consideration were the table of radio frequency allocations, the technical regulations, and the regulatory procedures for the international notification of frequency assignments and satellite orbit locations. The new regulations will become effective for the United States in January 1982, subject to Senate consent to ratification. It was the first general review of the regulations since 1959.

The 1979 WARC also recommended a program of future radio conferences to deal with specific services. The most important of these are (1) the spring 1982 Mobile Services WARC, (2) the spring 1982 Region 2 (the Americas) Conference for Broadcasting Satellites, (3) High Frequency Broadcasting WARC, proposed for 1983, and (4) Space Service Planning WARC, proposed for 1984. The Conference also adopted a number of resolutions and recommendations on international technical cooperation and assistance to developing countries. These items will be considered further at the annual meeting of the Administrative Council and by the Plenipotentiary Conference, to be held in 1982.

Universal Postal Union

During 1979, no new countries acceded to the Universal Postal Union (UPU) Convention. Membership at the end of 1979 remained at 159 members.

The 18th Congress of the Universal Postal Union met in Rio de Janeiro, Brazil, from September 12–October 26, 1979. The U.S. Delegation, headed by Postmaster General William Bolger, participated fully in the debates and activities of the 18th Universal Postal Congress and served as Chairman of the Postal Studies Committee of the Congress. This Committee finalized the previous 5-year (1975-79) program on the Consultative Council for Postal Studies—the technical body of the Union—and formulated its work program for the succeeding years (1980-84).

During the early days of the Rio meeting, the Congress voted on a resolution introduced by 12 African countries aimed at expelling the Republic of South Africa from the Universal Postal Union. The

United States, while expressing its rejection and opposition to the policy of the apartheid practiced by South Africa, spoke against the resolution on the basis of its unconstitutionality and its violation of the principle of universality upon which the Union is based. However, by a secret ballot, the resolution was adopted. The U.S. Representative made a declaration on signing the Acts of the 1979 Rio de Janeiro Congress, declaring that the United States will continue to treat any country, against which unconstitutional action is taken, as a member of the Union insofar as U.S. postal relations with that country are concerned. A number of other delegations also inserted formal statements into the record disputing the legality of the action.

The Postmaster General and other delegation members raised with the Soviet delegation the problem of nondelivery by the Soviets of mail to certain individuals and groups in the Soviet Union. The United States also introduced four technical amendments to the Acts of the UPU, intended to make member obligations in this area more precise. H.Con.Res. 167, calling for the State Department to bring the matter of Soviet mail interruption before the members of the UPU, was approved while the UPU Congress was in session. The U.S. Delegation circulated it to heads of delegations, pointing out that its unanimous passage by both houses of the U.S. Congress demonstrated the strong concern felt by the Administration, the Congress, and the public on this issue. The U.S. technical amendments failed to gain approval.

The Congress elected for a second 5-year term the UPU's Director General, Mohamed Ibrahim Sobhi (Egypt), and Deputy Director General, Thomas Scott (United Kingdom). Messrs. Sobhi and Scott were unopposed in their candidacy and were thus approved by acclamation. UPU regulations limit the term of office of the Director General and the Deputy Director General to two successive 5-year terms.

The United States was elected by the Congress to the 39-member Executive Council—the Union's administrative body—and was selected to Chair the Council's Finance Committee for the next 5 years. The United States was also elected to the 35-member Consultative Council for Postal Studies, where it will participate in numerous work and study programs, including membership on the Future of the Postal Services Working Party that will focus on electronic mail and other advanced message-transmission techniques.

The invitation of the Federal Republic of Germany to host the next UPU Congress was accepted. The 19th UPU Congress is, therefore, scheduled to take place there in 1984.

The Congress took decisions on over 1,200 proposals, amendments, and resolutions affecting the organization and operation of the Universal Postal Union and governing the exchange of international

mail. Generally speaking, the Rio de Janeiro Acts of the Universal Postal Union will go into effect July 1, 1981. A limited number of exceptional provisions will have earlier effective dates.

The Congress approved a ceiling of the Union's recurring net expenditures for 1981 through 1985, as follows: 1981, 17,166,500 Swiss francs; 1982, 17,586,300 francs; 1983, 17,848,600 Swiss francs; 1984, 18,187,800 Swiss francs; and 1985, 18,556,400 Swiss francs. A limit of 1,750,000 Swiss francs was also set for expenses of the next UPU Congress. The budgetary ceilings are subject to adjustment to take account of UN-approved increases in staff salaries and allowances and for supplies and services on the basis of the Swiss consumer price index.

The traditional method of financing the expenses of the UPU was changed. Since its founding in 1874, necessary funds have been advanced to the UPU by the Swiss Confederation, and Union members have paid their contributions after the end of each calendar year on the basis of actual expenses incurred. Beginning January 1980, members will pay their contributions in advance on the basis of the budget approved by the Executive Council. Provision has been made for establishing a Reserve Fund to cover shortfalls in the Union's financing. The Swiss Confederation has proffered a 10-year phase-in period to ease the financial burden created by the new financing system which, in effect, requires immediate payment of contributions for 2 years (payment for 1979 under the old system, and for 1980 under the new system), plus proportionate allocations to the Reserve Fund. The newly adopted provisions will bring the UPU's financing method into line with the practice common throughout the UN system.

Four new languages for documentation were approved for application in the UPU: German, Chinese, Portuguese, and Russian, at a cost not to exceed 50,000 Swiss francs a year for each of the new language groups.

The Congress took decisions on the following significant issues that will influence the international mail operations of the United States.

—Terminal Dues for Mail Imbalances. The basic principle of terminal charges, as contained in the UPU Convention, is to compensate receiving countries for costs incurred in handling incoming international mail. The current rate of payment for mail imbalance between two countries is 1.50 gold francs (about 60¢) per kilogram. The Congress changed that rate to 5.50 gold francs (about \$2.15) per kilogram, resulting in substantially increased costs to the U.S. Postal Service. This change becomes effective January 1, 1981.

—International Postage Rates. The Universal Postal Convention establishes the maximum and minimum levels for setting interna-

tional postage rates. The Congress took action to increase the basic rates by 50%, with an allowable maximum of 100% over the basic rates. This provides the U.S. Postal Service with the necessary ratemaking flexibility to adjust the applicable attributable costs for international mail operations.

—Adoption of the IMF SDR's as the Monetary Unit of the Universal Postal Union. While maintaining the monetary unit of the Union as the gold franc in the Constitution, within the Union's Convention, the Congress changed the monetary unit for settlements between countries for postal accounting purposes. Adoption of the Special Drawing Rights unit of the International Monetary Fund introduces a more realistic settlement procedure that recognizes the fluctuations of national currencies on the daily market. Adaptations were made in the Convention to accommodate countries that are not members of the International Monetary Fund. Using the Special Drawing Rights unit in the settlement of international postal accounts becomes effective January 1, 1980.

World Meteorological Organization

With the accession of Lesotho, the membership of the World Meteorological Organization (WMO) increased during 1979 to 150 (144 states and 6 territories that maintain their own meteorological services).

The Eighth quadrennial Congress of the WMO met in Geneva April 30–May 25, 1979. The Congress, in which all members are entitled to participate, is the supreme body of the WMO and is responsible for determining WMO's major program directions and for adopting its budget. The major program decisions of the eighth Congress are summarized below in relation to WMO activities of importance to the United States.

The Congress elected Dr. R. L. Kintanar (Philippines) as the new President of WMO and appointed Dr. A. C. Wiin-Nielsen (Denmark) as the new Secretary General. The Congress decided to increase the number of elected members of the Executive Committee from 14 to 19, thereby increasing the total membership from 24 to 29. In the current adverse economic climate, most national meteorological services have experienced considerable financial restrictions. As a result, the Congress agreed that the program and budget of WMO for the eighth financial period (1980–83) should be on a basis approaching zero growth in real terms. A total sum of \$74.4 million was approved for the 4-year period, although a degree of flexibility was given to the Executive Committee and to the Secretary General in using these funds. The number of established posts in the WMO Secretariat was fixed at 246, compared to the previous 238, to reflect the Organization's ex-

panded responsibilities, particularly in the field of climatology. The Congress also agreed that the regional offices for Africa and Latin America should be relocated within the region concerned.

The Executive Committee was invited to consider establishing a Technical and Scientific Advisory Committee to coordinate the various WMO programs and activities and, in due course, to formulate proposals for scientific and technological programs during the ninth financial period. The Executive Committee panel of experts will also examine the scientific and technical structure and functioning of the Organization and in 1981 will submit to the Executive Committee proposals for any necessary modifications.

As expected, Congress approved the launching of the World Climate Program, with four component programs on data, application, impact studies, and research. A major role for the new Technical and Scientific Advisory Committee will be to coordinate the activities of the World Climate Program.

The existing WMO programs will continue at about the same level as that of the previous financial period. Special importance was attached to education and training.

The Congress affirmed the importance of technical cooperation among developing countries in the field of meteorology and operational hydrology and underlined the fact that joint efforts were needed between donor and recipient countries. In this context, it was decided that the voluntary assistance program (VAP) should henceforth be called the Voluntary Cooperation Program (VCP) and that its scope should be expanded to include activities in agrometeorology and facilities necessary for the World Climate Program, in particular the component programs on data and application.

WORLD CLIMATE CONFERENCE

The World Climate Conference, a conference of experts on climate as it affects mankind, was held in Geneva February 12-23, 1979, under the sponsorship of the World Meteorological Organization in collaboration with other international bodies. Based on their deliberations, specialists from many disciplines assembled for the Conference and adopted a Declaration of the World Climate Conference.

The Conference Declaration includes an appeal to nations to improve and make greater use of the knowledge of climate and to prevent manmade changes in climate that might be adverse to the well-being of humanity. It does not foresee catastrophic changes in the near future but concludes that increased amounts of carbon dioxide can contribute to gradual warming, especially at high latitudes. Other human activities might have climate consequences and require careful study. The Conference Declaration refers to the prevailing in-

fluence of climate on human society, to mankind's vulnerability to variations of climate, and to the occurrence of extreme events such as droughts and floods. However, even normal variations and modest changes have a significant influence on man's activities. Developing countries, especially those arid, semiarid, and high rainfall regions, are particularly affected. Unfavorable impacts may, however, be mitigated, and positive benefits may be gained from using available climate knowledge.

The Conference Declaration states that there is an urgent need for developing a common global strategy for greater understanding and rational use of climate. There is serious concern that the continued expansion of man's activities may cause significant regional and even global changes of climate. The Declaration emphasizes the need for global cooperation to explore the possible future course of the global climate and to take this new understanding into account in planning for the developing of human society.

It is likely that the amount of carbon dioxide in the atmosphere will continue to increase as the result of human activities. This may possibly result in a gradual warming of the lower atmosphere, especially at higher altitudes. Patterns of change would be likely to affect the distribution and temperature, rainfall and other meteorological parameters, but details of these changes are poorly understood.

It is possible that some effects of this warming trend may become detectable before the end of this century and significant before the middle of the next century. Since changes in climate may prove to be beneficial in some parts of the world and adverse in others, the Declaration concludes that significant social and technological readjustments may be required. The Conference results were addressed not only to the WMO Congress but also to other international agencies and to nations individually. While the Conference did not make proposals for institutional arrangements for pursuing a world climate program, they were made by the WMO eighth Congress, which met 2 months after the end of the Conference.

The Conference noted that the United States had already adopted a National Climate Act that reflected the concerns and recommendations of the World Climate Conference, consistent with the Conference's program direction.

On the basis of the recommendations contained in the Declaration of the World Climate Conference, the eighth WMO Congress adopted a resolution that called for establishing a new WMO program, entitled the World Climate Program (WCP). The WCP will have the four following components: Climate Data Program; Climate Applications Program; Climate Impact Study Program; and Climate Change and Variability Research Program. The resolution requested the Ex-

ecutive Committee of the WMO to consider, as and when necessary, establishing an overall coordinating mechanism for the WCP; recommended that the Executive Committee establish and operate jointly with the ICSU (International Council of Scientific Unions) the corresponding committee that would be responsible for coordinating the climate change and variability research program in accordance with the provisions of this resolution; and requested the Secretary General of WMO to invite the cooperation of other appropriate bodies of the UN family, such as FAO, UNESCO, WHO, UNEP, ICSU, and other international bodies concerned with climate changes.

International Atomic Energy Agency

The International Atomic Energy Agency (IAEA) was founded in 1957, the culmination of a U.S. Presidential initiative. Its objective is to promote the development of the peaceful uses of atomic energy throughout the world, while ensuring that assistance provided by it or at its request, or under its supervision and control, is not used to further any military purpose.

GENERAL CONFERENCE AND BOARD OF GOVERNORS MEETINGS

The 23rd session of the General Conference, an annual meeting open to all of the Agency's 110 members, met in New Delhi December 4-11, 1979. This was an exception to the Agency's usual policy of meeting at its Vienna headquarters in the fall of the year. The Board of Governors, composed of 34 countries, convened in February, June, and just before and immediately following the General Conference in December.

The General Conference's review of the Agency's programs, especially its budget for 1980, was made in the context of the Agency's growing safeguards and technical assistance responsibilities. Added to these was heightened interest, in the wake of the Three-Mile Island accident, in the Agency's expanding nuclear safety role. At the same time, the General Conference considered the continuing inflation, exchange rate fluctuations and, most importantly, the desire of all members that the Agency effect economies in its operations and hold budget increases to an absolute minimum in a period of general budgetary stringency.

Consideration of the budget was marked by an extensive debate on an attempt by the developing countries to transfer the financing of

technical assistance from its present voluntary basis to the assessed budget. The attempt was successfully opposed. The Conference agreed, however, on a compromise resolution that requested the Board of Governors to consider the problem of technical assistance financing during the coming year and to report the results of the study to the 24th session in 1980. Following this action, the Board adopted a 1980 budget totaling \$80,643,000 and a target for voluntary contributions (to support the technical assistance program) of \$10,500,000.

Expansion of the Board of Governors was again on the agenda of the Conference, as it had been for the 2 previous years. As on those occasions, however, the proponents of expansion, unable to muster sufficient support, did not press for a vote but were content with a resolution, adopted by consensus, calling for the Board of Governors to continue to consider this issue over the coming year.

The Conference was marred by a decision, taken by vote after extensive debate, to reject the credentials of the Government of South Africa for participation in the Conference. The United States, all of the Western European Delegations, Japan, Canada, and Australia opposed this action on the grounds that the strength and integrity of the UN system depended on strict compliance with constitutional and procedural requirements and that the racial policies of the country concerned were irrelevant to the question of valid credentials. The vote for rejection was 49 to 24 (U.S.), with 9 abstentions.

Eleven vacancies on the Board of Governors for 1979-80 were filled by the elections of Mexico and Chile (Latin America); Switzerland and Ireland (Western Europe); East Germany and Yugoslavia (Eastern Europe); Kenya and Niger (Africa); Pakistan (Middle East and South Asia); and North Korea and the Philippines (Southeast Asia and the Pacific). These member states will hold office for 2 years from the end of the 23rd session of the General Conference to the end of the 25th General Conference. The remaining Board members, who will serve during 1979-80, are Argentina, Australia, Canada, Egypt, Federal Republic of Germany, France, India, Italy, Japan, U.S.S.R., United Kingdom, and the United States, all designated by the Board of Governors in June as the most advanced in the development of atomic energy on a worldwide or regional basis in accordance with the IAEA statute. The following states were elected by the 22nd General Conference in 1978, whose terms will end with the General Conference in 1980: Brazil, Guatemala, Venezuela (Latin America); Finland and Greece (Western Europe); Hungary (Eastern Europe); Morocco and Tanzania (Africa); Saudi Arabia (Middle East and South Asia); and Indonesia and Thailand (Southeast Asia and the Pacific).

IAEA PROGRAMS

Safeguards

Safeguards designed to ensure that nuclear materials and equipment intended for peaceful use are not diverted to military purposes constitute a major statutory responsibility of the IAEA. The significance of these safeguards was reinforced by the entry into force of the Treaty on the Nonproliferation of Nuclear Weapons (NPT) in 1970, as well as the Treaty for the Prohibition of Nuclear Weapons in Latin America (the Treaty of Tlatelolco), which entered into force 2 years earlier in 1968. The IAEA has the responsibility for carrying out the safeguards activities prescribed in both of these treaties.

By the end of 1979, 67 non-nuclear-weapons states, parties to the NPT, had concluded safeguards agreements, placing all of their nuclear activities under the IAEA safeguards. A safeguards agreement was also concluded with Colombia in accordance with the Treaty of Tlatelolco to the same effect. In addition, the IAEA was applying safeguards in 12 non-nuclear-weapons states not party to the NPT.

The number of installations under Agency safeguards increased to 700 during 1979. The quantity of plutonium under safeguards rose by 33% to 68 tons; the quantity of highly enriched uranium by 1% to 11.4 tons; and safeguarded low-enriched uranium and source material rose by 12% and 17% to about 12 tons and 15.5 tons, respectively. In carrying out the safeguards program of the Agency, Secretariat inspectors did not detect any anomalies indicating the diversion of significant amounts of safeguarded nuclear material to nonpeaceful purposes. Significant dimension was added to the Agency's development of safeguards through the initiation of the International Plutonium Storage Project, a project which is in the study phase.

The United States continued its special voluntary program in support of the IAEA's safeguards and other nonproliferation activities. The total value of this contribution in 1979 was \$6,510,000.

Technical Assistance

The main objectives of the IAEA's technical assistance program are to promote the transfer of skills and knowledge relating to the peaceful uses of atomic energy, to support the efforts made by recipient countries to carry out their atomic energy activities more efficiently and safely, and to ensure that knowledge acquired can continue to be applied after the provision of IAEA assistance has been completed.

During 1979, the total resources available to the Agency from all sources to carry out its technical assistance activities increased by \$2,474,000 to \$17,502,000. The largest single component of the increase was derived from voluntary contributions to the Agency, which rose from \$7.1 million in 1978 to \$8.8 million in 1979. The largest areas of activity in the technical assistance program continue to be the application of isotopes and radiation in agriculture, followed by nuclear engineering and technology. In 1979, the United States contributed a total of \$5.4 million in support of the Agency's technical assistance program, \$2.125 million of which was a cash contribution towards the target and the remainder (\$3.275 million) in the form of goods and services.

Nuclear Safety and Environmental Protection

The Three-Mile Island accident underscored the importance of the Agency's work in environmental protection. In June 1979, following the recommendations of a panel of experts especially convened by the Director General to consider the Agency's nuclear safety program, the Board of Governors approved a significant increase in the Agency's nuclear safety activities. The main increase will be in the Agency's capacity to provide direct assistance to countries introducing nuclear power and in the Agency's work on new safety guides and codes. In addition, the expanded program will include a major conference, "The International Conference on Current Nuclear Power Plant Safety Issues," which will be held in Stockholm October 20-24, 1980.

International Nuclear Fuel Cycle Evaluation

By the end of 1979, the work on the International Nuclear Fuel Cycle Evaluation (INFCE) was virtually complete, with a large degree of consensus having been achieved among the 66 participating countries on a broad range of questions with which INFCE dealt. During 1980, the IAEA Board of Governors will consider the role that the IAEA should play in ongoing activities. The final conference of the INFCE is scheduled to be held in early 1980.

Part 3

Trusteeship and Dependent Areas

UN consideration of dependent area questions is carried out principally in three bodies—the Trusteeship Council, the General Assembly's Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Committee of 24), and the General Assembly's Fourth Committee (Trust and Non-Self-Governing Territories). Additionally, in 1979 the General Assembly considered Namibia directly in plenary meetings without prior referral to a main committee, and the Security Council considered Southern Rhodesia.

Chapter XI of the UN Charter sets forth the responsibilities of states for "the administration of territories whose peoples have not yet attained a full measure of self-government." These "non-self-governing territories" are considered annually by the Committee of 24, which is charged with making suggestions and recommendations to the General Assembly regarding implementation of its resolution 1514 of 1960, the "Declaration on the Granting of Independence to Colonial Countries and Peoples." In 1979 the Committee of 24 consisted of Afghanistan, Australia, Bulgaria, Chile, China, Congo, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Sierra Leone, Sweden, Syria, Tanzania, Trinidad and Tobago, Tunisia, U.S.S.R., and Yugoslavia. The 34th General Assembly increased the membership of the Committee from 24 to 25. Venezuela was elected to the newly created position, and Denmark was elected to fill the vacancy caused by the withdrawal of Sweden. The United States was a member of the Committee until 1971, when it and the United Kingdom resigned due to a basic disagreement with the Committee concerning the manner in which it was operating.

Although the number of non-self-governing territories has steadily declined over the years, there is still considerable UN interest in those areas it considers to be colonial. In 1979, the Special Committee on Decolonization continued to devote much of its attention to Namibia and Southern Rhodesia, but it also paid substantial atten-

tion to other territories, including American Samoa, Guam, and the U.S. Virgin Islands. The United States participates in the Committee's deliberations on these U.S. territories and annually transmits information on them in accordance with article 73(e) of the Charter. During 1979 the Committee sent a visiting mission to Guam at the invitation of the United States to observe the constitutional referendum held August 4 and local conditions.

The Committee also considered conditions in the Trust Territory of the Pacific Islands and the question of the status of Puerto Rico, but the United States does not consider either of these areas to be within the jurisdiction of the Committee and does not participate in discussions concerning them. On August 15, 1979, the Committee adopted a resolution on Puerto Rico sponsored by Iraq and Cuba, which contained elements unacceptable to the United States, particularly with regard to its attempt to prescribe the outcome of the status issue.

The Committee annually considers a number of issues related to colonialism in general, such as the activities of foreign economic and other interests seen by the Committee as impeding the process of decolonization, military activities by colonial powers seen as impeding decolonization, and activities by specialized agencies and other UN bodies that might assist the process of decolonization.

The United States takes basic exception to a view that has come to predominate in the Committee and the General Assembly equating self-determination with independence. The United States views independence as only one possible outcome of an act of self-determination; the essential requirement is that the status of a territory should reflect the freely expressed wishes of its people. It is noteworthy in this regard that General Assembly resolution 1541 (adopted in 1960) enumerates three ways in which non-self-governing territories may attain self-determination. The United States also believes that the timing and manner of an act of self-determination should be decided by the people of the territory and the administering authority, not by the General Assembly, and that the question of whether military bases interfere with the right to self-determination can be answered only on a case-by-case basis, after examination of the particular circumstances of the territory in question.

Chapter XII of the UN Charter established an international trusteeship system and Chapter XIII established the Trusteeship Council. The U.S.-administered Trust Territory of the Pacific Islands, which has been designated a strategic trust territory, is the sole remaining territory under the trusteeship system. In accordance with article 83 of the Charter, the Security Council is responsible for all functions of the United Nations relating to strategic areas. The Charter also provides that the Security Council shall avail itself of the assistance of the Trusteeship Council to perform those functions

relating to political, economic, social, and educational matters in strategic territories. The Trusteeship Council now consists of the United States, as administrator of the Trust Territory of the Pacific Islands; China; France; the U.S.S.R.; and the United Kingdom, as permanent members of the Security Council. (The P.R.C., however, has not participated in the activities of the Council.)

TRUST TERRITORY OF THE PACIFIC ISLANDS

The Trust Territory of the Pacific Islands consists of more than 2,000 islands spread out over an area of the northern Pacific equivalent in size to the continental United States. The islands are all small, and total land area combined is approximately 700 square miles, roughly one-half the size of Rhode Island. About 100 of the islands are inhabited, and total population is estimated to be 120,000. Geographically the Trust Territory consists of three distinct island groups: the Marianas (with the exception of Guam) in the northwest, the Carolines to the south running from west to center, and the Marshalls in the east.

Formerly administered by Japan under a League of Nations mandate, the Trust Territory first came under U.S. control during World War II. On July 18, 1947, the United States and the UN Security Council concluded an agreement that made the islands a strategic trust territory under U.S. administration. The Trust Territory has been administered by the U.S. Department of the Interior since 1951.

Owing to historic and other differences, the Trust Territory now appears to be developing as four separate political units. The Northern Mariana Islands will become a Commonwealth of the United States following termination of the Trusteeship Agreement and is already largely functioning as a separate administrative entity. The Federated States of Micronesia (incorporating the districts of Truk, Ponape, Yap, and Kosrae), Palau (in the western Carolines), and the Marshall Islands are all negotiating a free association relationship with the United States under which they will be largely responsible for their own affairs, including foreign policy matters, although the United States will retain responsibility for defense and security. President Carter has announced the goal of terminating the Trusteeship by 1981.

Trusteeship Council Consideration

The Trusteeship Council held its 14th special session in New York on February 12 and 15, 1979. Jean-Claude Brochenin of France was elected President of the Council. On February 15 the Council adopted

a French draft resolution by a vote of 3 (France, U.K., U.S.) to 1 (U.S.S.R.), accepting a U.S. invitation to send a visiting mission to the Marshall Islands to observe the constitutional referendum held there on March 1, 1979. It also adopted a proposal by the United Kingdom to postpone sending the next Trusteeship Council periodic visiting mission for 1 year (1980).

The Trusteeship Council held its 46th session in New York from May 21 to June 15, 1979. Sheila E. Harden of the United Kingdom and Jean-Claude Brochenin of France were elected, President and Vice President of the Council, respectively. Ambassador Richard W. Petree served as U.S. Representative on the Council. The Deputy High Commissioner of the Trust Territory, Juan A. Sablan, and the Governor of the Northern Mariana Islands, Carlos S. Camacho, served as Special Representatives. Special advisers to the U.S. Delegation were: Senator Bailey Olter, Congress of the Federated States of Micronesia; Anton A. DeBrum, Secretary for Foreign Affairs of the Marshall Islands; Sandang N. Silmai, Speaker of the Palau District Legislature; Benjamin T. Manglona, Senator of the Northern Marianas Commonwealth Legislature; and Peter R. Rosenblatt, U.S. Ambassador, Office of Micronesian Status Negotiations.

FUTURE POLITICAL STATUS

The opening statement to the Trusteeship Council at the 46th regular session was made for the United States by Ambassador Petree, who spoke of the landmark achievements in greater self-government for the peoples of the Trust Territory over the past year. He reported that the referendum on the draft constitution for the Federated States of Micronesia, held July 12, 1978, and observed by a Trusteeship Council visiting mission, approved the draft constitution by substantial majorities in the districts of Kosrae, Yap, Ponape, and Truk. The constitution was officially installed in these four districts in ceremonies conducted on May 10, 1979. On May 11 the new Congress of the Federated States of Micronesia met and selected Tosiwo Nakayama of Truk as President and Petrus Tun of Yap as Vice President for 4-year terms of office. The newly elected leaders were formally inaugurated on May 15.

Ambassador Petree noted that the referendum had a double significance. In addition to expressing their will concerning the constitution and structure of the government to be formed under it, the peoples of Micronesia also took a major decision on the question of their political unity. In the Marshall Islands and Palau, where the draft constitution was not approved by a majority, citizens of both areas had taken steps to form separate governments. The Marshall

Islands drafted a constitution in late 1978, which was approved by 64.8% of those who voted in a UN-observed referendum on March 1, 1979. Subsequently, elections were held on April 10 for a new Nitijela (legislature), and, on May 1, Amata Kabua was elected as the first President of the Marshalls. In Palau, a constitutional convention had met early in 1979 and called for a referendum to be held on July 9.

Ambassador Petree informed the council that plenary rounds of status negotiations had taken place in September and October 1978 and January 1979 in Saipan, during which the positions of the United States and the three Micronesian political status commissions were brought further into accord and the areas of difference reduced. The United States had prepared comprehensive counterproposals on the remaining unresolved matters and expected to discuss them with the Micronesian heads of delegation following the conclusion of the public portion of the Council's work. He reaffirmed the goal of terminating the Trusteeship by 1981.

Regarding internal self-government, Ambassador Petree stated that in 1978 district charters for Kosrae, Yap, Ponape, and Truk were approved, making it possible for the first time in the 31 years of the Trusteeship for the people of these districts to elect their own executive officers. He further stated that the period of transition was well advanced and that the United States intended to provide the maximum permissible amount of self-government to the Trust Territory governments consistent with U.S. responsibilities, pending termination of the Trusteeship. Ambassador Petree expressed the regret that developments in the Trust Territory did not appear to permit political unity for the present and asserted the belief that the peoples of the Territory would benefit from common links among the districts. He also stated that the United States looked forward to the establishment of the Commonwealth of the Northern Mariana Islands in political union with the United States following termination of the Trusteeship.

OTHER DEVELOPMENTS

Deputy High Commissioner Sablan reported to the Council on the political, legislative, administrative, and economic advancement of the Trust Territory over the past year. He gave detailed information on the local progress achieved during a period of transition, by which responsibilities for administering and governing the Trust Territory are being transferred to the peoples of Micronesia. He also reported on developments in the areas of health, education, the local economy, and capital improvements.

Governor Camacho outlined steps that were being taken in the Northern Marianas to provide roads, harbors, adequate airfields, suf-

ficient electrical power, pure water, a modern hospital, an improved educational system, and a pool of trained manpower that would support the economic development of the area. He stated that if a plebiscite were held in the Northern Marianas on the current relationship with the United States, the vote would be overwhelmingly in favor. He cited "remarkable support" received from the U.S. Federal Government for local development but criticized the inappropriateness of the application of some Federal laws to the Northern Marianas. He also urged a continuation of the relationship between the Northern Mariana Islands and the United Nations after the Trusteeship Agreement is terminated.

In his statement to the Council, Senator Manglona reported that in the first 16 months of functioning under a Commonwealth system, the Legislature had developed confidence in itself and had become a strong and worthy component of the Northern Marianas Government. He called on the Trusteeship Council to address a "long-standing and sensitive grievance," the question of Title I war claims. He stated that Japan had a moral and legal responsibility to accord full restitution to Micronesians with outstanding war claims and asked the Trusteeship Council to convey the importance and urgency of this issue to the appropriate Japanese government officials. He also expressed concern about the storage of nuclear waste materials, citing allegations that the U.S. Navy on Guam had inadvertently discharged nuclear waste in Guam's surrounding waters.

Speaker Silmai asserted that 1978 was the year when the right to self-determination, in the form of the July constitutional referendum, was finally exercised by the Palauan people, who have struggled for their own political identity since the first colonizers appeared on their shores. He refuted any charge that the United States fostered the separation of Palau from the rest of the Trust Territory. He also declared that great progress had been achieved in the status negotiations and that Palauans were confident that the Trusteeship Agreement could be terminated by 1981. However, he added that the United States had not fulfilled its obligations to assist Palau to develop a productive economy and called upon the United States to foster at least a minimally self-sufficient economy in Palau during the period of free association. He reported that the Palau Legislature had taken major steps to protect its marine resources by creating a 200-mile exclusive economic zone and by establishing the Palau Maritime Authority to regulate it.

Secretary DeBrum charged that powers retained by the United States to fulfill its responsibilities under the Trusteeship Agreement constituted "severe, overreaching constraints" on the new constitutional government of the Marshall Islands. Although significant progress had been achieved in the status negotiations since the 1978

Hilo agreement, three major issues remained to be resolved. These he characterized as U.S. economic assistance adequate to meet the needs of the Marshalls and to achieve economic self-sufficiency; the creation of an adequate mechanism to settle defense disputes related to the protection of the Marshallese environment through access to U.S. courts; and a proper accounting of the legacy of nuclear contamination. With regard to the issue of nuclear contamination, he alleged that certain agencies of the United States were intent on suppressing critical information until after the political status negotiations were completed.

In a lengthy statement to the Council, Senator Olter expressed regret at the fragmentation of the Trust Territory and was of the opinion that the United States submitted far too readily to this development. He said that U.S. policy and programs intended to promote economic development in the four central districts had not been successful and that economic problems may rapidly undermine the legislative and administrative effectiveness of the Federated States of Micronesia. He described the economic situation in the four central districts as precarious and reviewed additional budget requests to the U.S. Congress for development assistance, upgrading Ponape hospital, augmenting the Capital Improvements program, government operations, transition expenses, land use agreements, curriculum and program developments at the College of Micronesia, fire fighting equipment and facilities, an airport at Kosrae, and settlement of Title I war claims. He charged that the United States is administering the Trust Territory with an inadequate budget and that the United States appears to be losing sight of its obligations under the Trusteeship in the rush to meet the 1981 deadline to terminate the Trusteeship. He complained of the High Commissioner's veto power over territorial legislation and the continued "unlimited" appellate review by the U.S. High Court under Department of the Interior Secretarial Order 3039. He characterized the status negotiations as complete except for two major remaining points: the need for effective recourse against possible unreasonable exercise of the U.S. defense and security authority and for adequate financial support. He also stated, however, that the U.S. approach to the transition to constitutional government is "so uncoordinated and so penurious" that "a pall has been cast over the status negotiations," and that the Federated States of Micronesia were finding it difficult to support fully the goal of termination by 1981.

During the examination of the annual report of the United States on the Trust Territory, the Trusteeship Council heard 12 petitioners. It also examined 18 written communications and 5 petitions and decided, without objection, to take note of them.

COUNCIL REPORT

Among the conclusions and recommendations contained in its report to the Security Council, the Trusteeship Council reaffirmed the right of the people of Micronesia to self-determination, including independence; noted with satisfaction that the July 12, 1978, constitutional referendum was held under conditions which guaranteed the free expression of the wishes of the populations concerned; decided to send a visiting mission to Palau for the constitutional referendum on July 9, 1979; noted that all Micronesian parties have emphasized their desire to maintain preferential and close relations with the United States after the Trusteeship is terminated; reiterated its view that free association is an option not incompatible with the Trusteeship Agreement, provided the populations concerned have freely accepted it; urged the United States to maintain the current level of aid to the Trust Territory; and expressed the hope that after termination of the Trusteeship, the Micronesians would establish the all-Micronesian entity which they agreed upon at Molokai in October 1977.

The Trusteeship Council also noted with satisfaction that the cleanup of Eniwetok is proceeding according to schedule and should be completed in 1980; noted with satisfaction that the U.S. Congress is considering a proposal to authorize *ex eratia* payments of 50% of the outstanding Title I war claims without their being contingent on a comparable gesture by the Japanese government; noted with regret that the people of the Marshall Islands and Palau, by rejecting the Federated States of Micronesia draft constitution, had chosen to form separate entities; welcomed the fact that virtually all of the executive posts in the Trust Territory are now held by Micronesians; noted with regret that the economy of the Trust Territory was not sufficient to meet its administrative and social expenditures; reaffirmed its satisfaction with the excellent record of the United States in the general field of education; and welcomed the wide dissemination of information on the United Nations and the Trusteeship system in the Trust Territory.

As in previous years, the Security Council did not discuss the Trusteeship Council report.

VISITING MISSIONS

The UN visiting mission sent to observe the July 12, 1978, constitutional referendum in the Trust Territory was composed of six members and chaired by Robin Byatt (United Kingdom). In its report on the referendum to the Trusteeship Council during its 46th session, the mission concluded that the referendum was well organized, that it

saw no sign of improper intervention in the political campaign by the Trust Territory government, and that it had no reason to believe that the availability or lack of funds was a determining factor in the outcome of the referendum. It reported that the poll was conducted in such a way that the voters could be satisfied that the secrecy of the ballot was preserved, that the counting of votes worked smoothly and did not give rise to dispute or appeals, and that the voters appeared to have a sufficient understanding of the main provisions of the constitution and a clear awareness that the referendum also concerned the unity of Micronesia. The Trusteeship Council adopted a resolution which took note of the report by a vote of 3 to 0, with 1 abstention (U.S.S.R.).

The Council also considered the report of a two-member visiting mission led by Miss Harden to observe the constitutional referendum held in the Marshall Islands on March 1, 1979. The mission noted that discrepancies between the general register of voters and the precinct lists proved to be a major cause of confusion on voting day. It considered that the Election Commissioner took the right decision in ensuring that those legally entitled to vote were not prevented from doing so owing to administrative errors, and it was deeply impressed by the concern shown to ensure maximum participation in the referendum. The mission reported that it saw no evidence of improper intervention in the campaign by the Administration and received no complaint to that effect. The mission concluded that last-minute attempts by those opposed to the constitution to postpone the referendum were rightly rejected and that it had no reason to believe the disparity in funds materially affected the result of the referendum. The mission received no complaints of pressure or attempts to intimidate or bribe voters and observed that the counting process was carried out in an orderly fashion. It reported that extensive information on the draft constitution was disseminated and that any voter who wished to learn about the purpose of the referendum was able to do so and thus to form his own opinion. By a vote of 3 to 1 (U.S.S.R.), the Trusteeship Council adopted a resolution which took note of the report of the visiting mission.

At its 46th session the Trusteeship Council also decided by a vote of 3 to 1 (U.S.S.R.) to send a visiting mission to Palau to observe the constitutional referendum scheduled to be held on July 9, 1979.

General Assembly Consideration

The General Assembly's Committee of 24 considered the Trust Territory at three meetings between July 25 and August 10, 1979, as it had in previous years. The United States maintains that the Commit-

tee's jurisdiction does not extend to the Trust Territory because the Charter provides that all UN functions relating to strategic Trust Territories shall be exercised by the Security Council. The United States did not, therefore, participate in the Committee's review, which was based largely on the records of the Trusteeship Council. The Committee adopted a series of conclusions and recommendations similar in substance to those put forward by the Trusteeship Council, and it incorporated these in its annual report to the General Assembly.

On December 13 the General Assembly adopted an omnibus resolution that approved the full report of the Special Committee on Decolonization (see p. 286). The General Assembly neither considered nor adopted a resolution specifically on the Trust Territory.

U.S. TERRITORIES

American Samoa

American Samoa is an unincorporated and unorganized territory of the United States which is located 2,300 miles southwest of Hawaii. It comprises seven islands in the South Pacific, with a total of 76 square miles and a population of about 30,000. The United States acquired six of the islands through agreements with indigenous leaders in the early 1900's; the seventh island became an integral part of the territory in 1925.

The Special Committee on Decolonization's Subcommittee on Small Territories¹ considered American Samoa at five meetings—June 12, 14, 18, 21, and August 1, 1979. On June 12, the U.S. Representative, Daniel A. Strasser, reported on developments in American Samoa over the past year. He stated that American Samoa's Office of Economic Development Planning had completed major planning documents on economic development, land use, and housing and that collectively these will provide the basis for the overall economic development of American Samoa. This locally drafted 5-Year Economic Development Plan, the first of its kind for American Samoa, focuses on diversifying the island economy. Mr. Strasser reported the creation of an Economic Development Commission to assist those planning local business ventures and a Planning Commission to ensure their conformity with the development plan. He stated that on March 21, 1979, Congress appropriated \$1 million to the American Samoa Economic Development Loan Fund for local

¹ Afghanistan, Australia, Bulgaria, Chile, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Sweden, Trinidad and Tobago, and Yugoslavia.

use and \$1 million to the Housing Loan Fund to assist American Samoans in obtaining low-cost housing or home improvements loans. He reported that a 35-acre industrial park had been completed and that applications for sites were under review. In 1978 the U.S. Agricultural Credit Assistance Act was redrafted to make American Samoa eligible for various credit and technical services, and a local agricultural extension service was being established. He also reported that the Government of American Samoa was promoting economic cooperation with the emerging nations of the region, citing its role as host of the Pacific Islands Development Commission Conference in January 1979.

Regarding political developments, the U.S. Representative informed the Subcommittee that on April 20, 1978, a Second Temporary Political Status Commission had been created and was charged with examining political status alternatives for American Samoa. He reported that the Commission was expected to complete its work in 1979.

In a concluding statement on June 18, the U.S. Representative answered several questions posed earlier. He reaffirmed the U.S. commitment to encourage the political, economic, and social development of its territories and its commitment to self-determination. He stated that the United States does not exclude the possibility of any status alternative for its territories, including independence. The Second Temporary Political Status Commission had explored a variety of political alternatives for American Samoa, including independence. It is the understanding of the United States that the Committee has narrowed the number of alternatives to three: commonwealth status, incorporated territory status, and the present status arrangement.

The full Committee took up American Samoa on August 7, and on August 9 it adopted without objection the report of the Subcommittee and endorsed its conclusions and recommendations. Among these, the Special Committee reaffirmed the right of the people of the Territory to self-determination and independence; expressed its appreciation for U.S. cooperation in participating in the work of the Committee; noted with interest the establishment of the Second Temporary Future Political Status Commission to study the future political status of American Samoa; noted with interest that the territory had recently completed the drafting of its first 5-year economic development plan; noted with satisfaction that American Samoa is raising its level of cooperation with nations of the region; and reiterated its hope that the United States would accept a UN visiting mission to obtain firsthand information on conditions in the territory and ascertain the wishes and aspirations of its people concerning their future.

Guam

An organized, unincorporated territory of the United States, located 6,000 miles west of San Francisco, Guam is the southernmost island in the volcanic Mariana Islands chain in the western Pacific. It is about 30 miles long and from 4 to 8 miles wide. Its population is about 100,000, some 20% of which are military personnel. Guam was ceded to the United States by Spain in 1898 at the conclusion of the Spanish-American War.

In 1978 the United States invited the Special Committee to send a visiting mission to Guam to observe the upcoming constitutional referendum and local conditions. Subsequently, the Guam legislature set August 4, 1979, as the date of referendum. On July 25, the Committee decided without objection that the visiting mission should be composed of the representatives of Sierra Leone (chairman), Syria, and Trinidad and Tobago. This was the first UN visiting mission to Guam and only the second to a U.S. territory, the first having gone to the U.S. Virgin Islands in 1977. The locally drafted constitution was rejected by the people of Guam, 2,233 votes for the draft constitution and 10,315 votes against.

On October 23 the report of the visiting mission was introduced in the Special Committee. The visiting mission expressed its satisfaction with the organization of the referendum and the arrangements made by the Election Commission but asserted that the options open to the Guamanians had not been explained to them by the United States. The report recommended that the people of Guam be given an opportunity to choose freely and negotiate their future political status; that the United States should either repeal or amend the Jones Act which regulates shipping; that the United States should ensure that the enabling act for locally drafted constitutions give due regard to the right of self-determination; that the United States enable the Guamanians to regain possession of land presently held by Federal authorities and the military, not being used by them; and that the United States take all necessary steps to ensure that Guam's economy not remain heavily dependent on the military bases located there but that it be diversified.

William L. Dunfey represented the United States at the Committee's meeting on November 5 and spoke on the visiting mission's report. He noted that the constitutional referendum was not a status referendum. The visiting mission's observation that the United States had not explained the status options did not take into account this referendum's relationship to the September 1976 status referendum, which had spelled out five options for Guam, including independence and statehood. He stated that more than 90% of those voting at that time opted for Guam to remain a part of the United

States and that 58% voted for the improvement of Guam's present status, including adoption of a constitution, which led to the referendum observed by the visiting mission.

Mr. Dunfey reported that Governor Calvo of Guam would be visiting Washington later that month to discuss many of the local issues raised in the report. He also answered questions raised by the Committee concerning the visiting mission's report regarding shipping laws, immigration and alien labor, aviation regulations, and Federally controlled lands. He pointed out many of the positive developments in Guam's economic situation cited in the report to demonstrate that, despite the disadvantages of being an island territory, the people of Guam were prospering. He also informed the Committee that the United States was currently assessing its overall relationship with Guam and other U.S. territories through a study of long-range policy options in six areas: goals for the non-self-governing territories, economic development, financial assistance, Federal grant programs, Federal organization to deal with the territories, and Federal presence in the territories. He stated that the United States would be able to report on results of this policy review in 1980.

On November 5 the Special Committee adopted its conclusions and recommendations on Guam. Among these, the Committee reaffirmed the right of the people of Guam to self-determination and independence; expressed its appreciation for the cooperation of the United States, particularly for its invitation to send a visiting mission to Guam to observe the constitutional referendum; noted the report of the visiting mission and its conclusions and recommendations; noted the finding of the visiting mission that the options open to the people of Guam had not been sufficiently explained to them; reaffirmed its strong conviction that the presence of military bases in Guam should not prevent the people of the territory from exercising their inalienable right to self-determination and independence; and called upon the United States to strengthen and diversify the economy. China, the Congo, Iran, and the U.S.S.R. expressed reservations on the operative paragraphs dealing with military bases.

U.S. Virgin Islands

The U.S. Virgin Islands, located 1,000 miles southeast of Miami, are part of the curving chain of the Greater and Lesser Antilles separating the Caribbean Sea and the Atlantic Ocean. Of the 50 islands which constitute this organized, unincorporated territory, the three most prominent are St. Thomas, St. Croix, and St. John. The population of the Virgin Islands is about 100,000, and total land area

is 130 square miles. The Virgin Islands were purchased from Denmark in 1917.

The Subcommittee on Small Territories considered the U.S. Virgin Islands at five meetings between June 12 and August 1, 1979. The U.S. Representative, Mr. Strasser, reported to the Subcommittee on June 12 on the constitution drafted by the people of the U.S. Virgin Islands. He stated that the Third Constitutional Convention completed its task on July 20, 1978, and that the President, in transmitting the document to Congress for its approval, announced that the draft constitution "represented a significant step toward greater self-government" and that it was "wholly appropriate that the electorate of the Virgin Islands, and not the Federal Government, has the ultimate right to accept or reject it." Mr. Strasser stated that the voters of the Virgin Islands rejected the draft constitution in a local referendum held March 6, 1979, with 56% of those voting opposed. He informed the Subcommittee that while the reasons for this cannot be precisely known, many political analysts had concluded that a significant proportion of the voters felt the constitution would establish additional and unnecessary layers of governmental bureaucracy at great expense. He informed the Subcommittee that the path is clear for Virgin Islanders to draft a new constitution, which would become the permanent foundation of their self-government.

The U.S. Representative stated that the Virgin Islands' economy had rebounded strongly from the recession of the mid-seventies, and that tourism had led the way. He said that local economic policy guidelines on growth management, diversification, employment, and development of tourism had been issued. He spoke of the budgetary problems of the Virgin Islands Government and stated that special Federal assistance was being considered to assist it in balancing its budget until revenues improve. He reported that a thorough analysis of the capital infrastructure needs was being prepared and that water production and power generation were high on the list of priorities.

In his closing statement on June 18, the U.S. Representative responded to several questions from the Subcommittee. He reaffirmed that the United States was committed to the political as well as the economic and social development of its territories and that the United States would respect the wishes of the territories with regard to future political status. In response to the questions from the Bulgarian representative, he explained that to be eligible to vote in the Virgin Islands, a U.S. citizen must declare the territory as his place of residence which he intends to make a permanent domicile and must supply evidence that he has lived in the Virgin Islands for at least 30 days. Mr. Strasser stated that there have been no military bases in the U.S. Virgin Islands since 1967 but that the U.S. Coast Guard maintains a facility there. In response to a question from the

Indian representative about low voter turnout for the constitutional referendum, Mr. Strasser informed the Subcommittee that the Virgin Islands normally has a high level of voter participation in local elections and that the explanation may lie in factors such as March being unfamiliar time of year for elections; that the referendum was not held during general elections when local personalities vie for political positions; and that the people had little interest in the constitution.

On August 8 the Committee adopted by consensus a decision which reaffirmed the right of the people of the U.S. Virgin Islands to self-determination; noted with appreciation the continued participation of the United States in the Committee's discussion of the territory; noted the fiscal difficulties of the territorial government; expressed its view that the presence of U.S. naval facilities in the territory should not impede progress toward self-determination; urged the United States to achieve a stable and viable economy in the territory; and expressed its satisfaction at the willingness of the United States to receive visiting missions in its territories.

General Assembly Action

The three U.S. territories and a number of other small territories were considered by the 34th General Assembly's Fourth Committee between October 17 and November 19 under the agenda item, "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." (See also p. 279.) On November 1, the U.S. Representative, William Dunfey, made a comprehensive statement regarding political developments in American Samoa and the U.S. Virgin Islands. He reported to the Fourth Committee that the Second Future Political Status Commission, charged with examining status alternatives for American Samoa, had submitted its report to the Fono (legislature) on September 14. The report considered six possible future status options: (1) independence; (2) union with Western Samoa, joining Hawaii; (3) Commonwealth status under an organic act, such as Guam or the Virgin Islands; (4) Commonwealth status such as Puerto Rico or the Northern Marianas; (5) a return to "ancient Samoa" as it was prior to the U.S. administration; or (6) maintaining the status quo. Mr. Dunfey reported that the Commission had concluded that American Samoa should continue under the status quo, but with some modifications, including the establishment of a unicameral legislature and the transfer of authority to the Governor to confirm members of the American Samoan High Court. He also stated that President Carter had signed into law a bill permitting elections in 1980 of an American Samoan to serve as a non-voting Delegate in the U.S. House of Representatives. Regard-

ing the Virgin Islands, Mr. Dunfey reviewed the efforts to adopt a constitution and stated the U.S. belief that in due course its people will develop a document to form the basis of their local self-government. He also informed the Committee that the United States was conducting a policy review of its relationship with its territories, stating that it would be able to report the results at the 35th General Assembly.

On November 14 the U.S. Representative, Daniel Strasser, made a brief statement to the Fourth Committee on Guam. He noted that the United States did not agree with all of the observations and conclusions contained in the report of the Special Committee's visiting mission but that it believed it represented an attempt to achieve a balanced view of conditions in Guam.

Draft resolutions on American Samoa and the U.S. Virgin Islands were approved in the Fourth Committee on November 1, and the draft resolution on Guam was approved November 19. Afghanistan, Bulgaria, China, Cuba, Czechoslovakia, Iran, Iraq, Libya, Madagascar, Mozambique, Syria, the U.S.S.R., and Vietnam stated their reservations concerning those sections of the resolution regarding military bases in the Guam resolution on the grounds that their governments opposed the presence of military bases in non-self-governing territories.

The resolutions on American Samoa, Guam, and the U.S. Virgin Islands were adopted by the General Assembly by consensus on November 21. These resolutions, *inter alia*, approved the relevant chapter of the report of the Committee of 24 and otherwise were similar in substance to those adopted by the Committee of 24. (Resolutions 34/35, 34/39, and 34/36, respectively.)

NAMIBIA

Security Council

On February 26 the Secretary General circulated his report concerning the implementation of Security Council resolutions 435 (1978) and 439 (1978) on the question of Namibia. The report was drafted in light of the agreement of all parties to the UN Settlement Plan for Namibia and was based upon information obtained by the UN Special Representative for Namibia, Martti Ahtisaari, during his visit to South Africa and Namibia January 13-22, 1979. It was Mr. Ahtisaari's purpose during the trip to complete consultations on the transitional arrangement for the settlement and operational requirements for deploying the United Nations Transition Assistance Group (UNTAG) in Namibia. From January 28 to February 10 Mr.

Ahtisaari traveled to the Front Line states of Tanzania, Mozambique, Zambia, Botswana, and Angola to consult with leaders of those countries and with the South West Africa People's Organization (SWAPO) on the current situation relating to Namibia. At the invitation of the Government of Nigeria, he also had talks in Lagos February 11-12.

The Secretary General's report dealt with (1) the return of Namibian refugees to participate in the political process, including the peaceful return of SWAPO personnel; (2) the restriction of South African defense forces to their bases within Namibia from the commencement of the cease-fire; (3) the restriction to designated locations inside of Namibia at the time of the cease-fire as well as the restriction to bases monitored by Front Line governments of SWAPO forces operating outside Namibia; (4) the proposal that the cease-fire begin at 12 a.m. March 15, with assurances from all parties no later than March 5 of acceptance of the terms of the cease-fire; (5) agreement on the composition of the military component of UNTAG as well as a status of forces agreement for UNTAG; and (6) reaffirmation that the duration of UNTAG would be for 1 year, depending upon the date of independence to be decided by the constituent assembly.

As a result of the Secretary General's report and of South African military activities in Angola and Zambia, the Security Council held four series of meetings on the question of Namibia during 1979.

The first round of discussions began with informal Security Council consultations on March 2 and never went beyond the informal consultation stage, nor was any resolution considered or adopted. During the March 2 meeting the Secretary General reported a message from SWAPO that initially rejected his proposal for the composition of UNTAG and his concept that SWAPO bases in neighboring territories be subject to monitoring by Front Line states. Later, however, SWAPO found it possible to cooperate in the monitoring arrangements; the question of composition had yet to be addressed. By that time, absent a reply from South Africa, it had already become clear that the March 15 date for a cease-fire and the deployment of UNTAG could not be met. Further consultations were scheduled for March 7, but these were postponed at the request of the Secretary General, notwithstanding the beginning of what proved to be a series of South African military attacks against SWAPO targets in Angola and Zambia.

Informal consultations resumed March 12. By this time it was clear that South Africa was rejecting the Secretary General's report due to its disagreement with the concept of the monitoring of external SWAPO bases by anyone other than UNTAG and its objection to the establishment of designated locations for SWAPO forces

inside Namibia, as those forces had so far been unable to establish bases in that territory. It was also clear that South Africa objected to the Secretary General's proposed composition of UNTAG and to the status of forces agreement for UNTAG.

The remainder of 1979 was devoted to negotiations attempting to resolve, principally on the basis of a demilitarized zone proposed by President Agostino Neto of Angola, South Africa's objections to the external and internal SWAPO basing arrangements contained in the Secretary General's report. As an initial device to attempt to work out remaining differences on the Secretary General's report, the Western Contact Group² proposed proximity talks by all the parties, to be held in New York March 19-20.

Meanwhile, the Security Council began the second series of meetings of the year on Namibia in response to an Angolan letter of March 16 to the President of the Security Council requesting an urgent meeting of the Council to consider South African aggression against Angola. The Council met promptly and held informal consultations on March 16, but the discussions dealt primarily with the upcoming proximity talks and various questions posed by the Soviet Union and Czechoslovakia regarding the Secretary General's earlier report.

In further informal consultations March 17, however, it was decided to meet March 19 in formal session on the matter of recent South African attacks against Angola. The Council met eight times between March 19 and 28 to consider Angola's complaint against South Africa.

South Africa responded promptly to the Security Council's consideration of Namibia with a letter dated March 19 to the President of the Security Council. The letter described it as "incomprehensible" that the Security Council should meet to condemn South Africa on the very day that the proximity talks were to begin. The letter further denounced violence by SWAPO and proposed that the Security Council adopt a resolution condemning SWAPO and calling upon the guerilla organization to cease its military activities and cooperate in the implementation of the settlement proposal.

On March 26 a draft resolution sponsored by Bangladesh, Bolivia, Gabon, Jamaica, Kuwait, Nigeria, and Zambia was introduced. The Security Council met March 28 and adopted the draft 12 to 0, with 3 abstentions (France, U.K., U.S.). (Resolution 447 (1979).) The resolution, *inter alia*, condemned South Africa for its attacks against Angola, which were described as constituting a flagrant violation of the sovereignty and territorial integrity of Angola as well as a serious

² A multilateral negotiating group, composed of Canada, France, Federal Republic of Germany, United Kingdom, and United States, formed by the Western members of the Security Council in 1977 to develop a unified approach to the problem of Namibia.

threat to international peace and security; condemned South Africa's utilization of Namibia as a springboard for these attacks and demanded that South Africa cease such attacks immediately; requested UN member states to extend all necessary assistance to Angola and all other Front Line states to strengthen their defense capacities; and requested the Secretary General to obtain and submit to the Security Council no later than April 30 information from Angola on the casualties and material and other damage resulting from the South African attacks. As matters developed, Angola was unable to provide the Secretary General with the required information by the April deadline, and the data requested was finally submitted to the Secretary General on July 25 and to the Security Council on July 27.

In his statement before the Council March 28, Ambassador Petree noted U.S. intensive involvement in negotiations to find a peaceful internationally acceptable settlement in Namibia, its condemnation of violence from any quarter, and its belief that the best way to a solution to the Namibian problem would be prompt implementation of the UN settlement plan. The U.S. statement went on to object to the suggestion in the resolution that information obtained by the Secretary General from Angola should be used by the Security Council to determine the most effective sanctions which might be applied against South Africa and further to note that a solution to the problem of Namibia would not be found through the introduction of more arms and other forms of military assistance to the Front Line states or to other parties to the problem. The U.S. Representative restated the U.S. position in opposition to the view that violence can or should be used to resolve international issues.

The third phase of the 1979 Security Council activity on Namibia got underway September 13 with a letter from the Permanent Representative of Zambia to the Secretary General, drawing attention to various military acts committed by South Africa from within Namibia's borders against the southwestern province of Zambia. The South Africans responded to the Zambian complaint in a letter dated September 17, which complained of SWAPO attacks on Namibian territory and claimed that South African attacks were directed against SWAPO bases that functioned within Zambian territory with the active support of the Zambian Armed Forces.

The Zambian letter had not requested a meeting of the Security Council on this issue, although there was some interest among Zambia and other African nations in taking such a step. The Western Contact Group, on the other hand, wished to avoid a security council meeting at that time out of concern for its potential effect on the Namibian negotiations.

On September 25 the Security Council President (Zambia) informed

representatives of the Contact Group that the African Group would prefer a Security Council meeting on Namibia but had requested a briefing on the current status of the Namibia initiative, on the basis of which the Africans would determine their course of action. The five representatives of the Contact Group provided a factual briefing and expressed their concern at the potential risks of a meeting at that time. The Council President reported the position of the five to the African Group. In the end it proved possible to avoid a Security Council meeting on Namibia at that moment.

The fourth and final phase of Security Council consideration of the Namibia-related item—two meetings, November 1–2—began with a letter from Angola dated October 31 to the President of the Security Council requesting an urgent meeting of the Council concerning South African raids against Angolan territory.

A draft resolution was circulated on November 1, sponsored by Bangladesh, Jamaica, Kuwait, Nigeria, and Zambia. *Inter alia*, the draft strongly condemned South Africa's aggression against Angola and called upon the South Africans to cease such acts immediately and to withdraw their armed forces from Angola. The resolution demanded that South Africa scrupulously respect the independence, sovereignty, and territorial integrity of Angola and cease using Namibia as a base for its acts against neighboring African states. Finally, the draft requested UN member states to extend all necessary assistance to the Angolans and other Front Line states to strengthen their defense capacities.

Arguing that the draft was at too advanced a stage to be altered, the sponsors refused to consider changes that the Western members of the Council suggested during informal consultations on November 2. Consequently, the Security Council again met formally on the evening of November 2 and adopted without change the nonaligned draft resolution by a vote of 12 to 0, with 3 abstentions (France, U.K., U.S.). (Resolution 454 (1979).)

Speaking for the United States, Ambassador Petree characterized the South African attacks as unjustified and a serious escalation of the level of conflict in the midst of negotiations. Ambassador Petree deplored South Africa's action and urged that nation to exercise the utmost restraint. At the same time he expressed condolences to the Government and people of Angola and emphasized the need to resolve differences through peaceful negotiations and democratic processes in order to break the cycle of violence in the region and obtain a comprehensive solution of the problem.

With regard to the procedures whereby the resolution was brought before the Council Ambassador Petree noted:

In closing I want to express my regret that the sponsors of the resolution before us have been unable to accept the few changes which would have allowed us to support the draft resolution.

The result is that this Council has missed the opportunity to send South Africa the stern warning which its actions merit. It is important, however, that South Africa take no comfort from this divided Council. The fact is that we join others in deploring South Africa's armed invasion of Angola. South Africa's action and similar actions it has taken in the past can only earn it the continuing condemnation of the entire world community.

General Assembly

A resumed session of the 33rd General Assembly, authorized by its resolution 33/182 A to consider fully the question of Namibia, began on May 23, 1979. More than 80 speakers addressed the Assembly during the course of the 12 meetings of the resumed session which concluded on May 31.

South Africa had routinely been denied a seat in the Assembly by the Credentials Committee since 1974, and the Assembly was surprised at South Africa's presence at the second meeting of the resumed session. Ghana, as chairman of the African Group, immediately took the floor to challenge South Africa's credentials. The President of the General Assembly (Colombia) then called upon the Credentials Committee to meet immediately to consider South Africa's credentials and to report the following day. The meeting was then adjourned. The session continued May 24 with the report of the Credentials Committee rejecting the credentials of the South African delegation. The Assembly then voted 96 to 19 (U.S.), with 9 abstentions, to reject South Africa's credentials. In his statement, the President of the Assembly remarked:

The decision just taken by the Assembly . . . constitutes an indication that the majority of members do not wish to permit the delegation of South Africa to participate in the work of the session but that the General Assembly has not taken a decision concerning the status of South Africa as a member of the United Nations.

In his statement to the Assembly in explanation of vote, Ambassador Young emphasized intense U.S. opposition to apartheid and the belief that South African occupation of Namibia is illegal. He also noted, however, that no interests which the U.S. could support have been served by denying South Africa the right to sit and be heard. Ambassador Young said:

The strength of the United Nations, now that it is nearly a universal organization, is in no small way its diversity, in the exposure of us all to differing views. We must agree to talk with those with whom we disagree and even with those whose representatives are appointed by governments of states members which may not be selected by the free and independent choice of all its citizens.

It is for these reasons that the organization is founded on the sovereign equality of its members and for these reasons that the Charter and Rules of Procedure make it very difficult indeed to deprive a member of its rights. They limit the cases in which this can be done and the manner in which it can be done. It is all the sadder that the Assembly has not followed these rules.

However unwise and unfortunate what has been done here today is, it must not be the end of the efforts to find a peaceful and just solution to the question of Namibia. My government will continue to seek a solution to that problem and does not accept that anything that has happened here today can constitute any excuse on the part of anyone for failing to cooperate to that end.

On May 24 the UN Secretariat, at the request of South Africa, circulated a letter that contained the text of the statement that South Africa would have made before the Assembly had it been permitted to speak. The statement included attacks on SWAPO violence and UN partiality as well as a defense of the South African record in Namibia.

On May 30 Ambassador Young delivered a statement on behalf of the Five Western Contact Group members. He called attention to the efforts of the Five since 1977 to resolve the Namibian question and expressed deep appreciation for the close cooperation of the Secretary General and the Front Line African states in the negotiating process. Ambassador Young defended the efforts of the Five to reach a negotiated solution against criticism from some member states and briefly reviewed the recent course of the initiative. Finally he urged all participants to press for prompt implementation of the settlement proposal, which the Five continued to believe to be the best available course for preventing further bloodshed and bringing about an acceptable settlement in Namibia.

On May 31 the resumed General Assembly session concluded by adopting a draft resolution which had been introduced May 29 by Zambia and was ultimately sponsored by 92 states. The resolution was adopted by a vote of 118 to 0, with 16 abstentions (U.S.), and, *inter alia*, (1) supported the liberation struggle of the Namibian people by all means at their disposal and called upon the UN system to fully support the UN Council for Namibia as the legal administering authority for Namibia until independence; (2) condemned South Africa for its continued occupation and other activities in Namibia; (3) called upon member states to refrain from any recognition or cooperation with any regime which South Africa may establish in Namibia; (4) reaffirmed that a just settlement is possible only with the full participation of SWAPO, "the sole and authentic representative of the Namibian people"; (5) demanded the release of all SWAPO members held prisoner by South Africa; (6) called upon member states to increase their assistance to SWAPO; (7) declared that South Africa's continued occupation of Namibia and other activities there constitute a serious threat to international peace and security; and (8) called upon the Security Council to convene urgently to take enforcement measures against South Africa under Chapter VII of the Charter. (Resolution 33/206.)

The statement in explanation of the vote on behalf of the Western Five was made by the United Kingdom. It noted that the Five would

abstain on this resolution on purely procedural grounds because of their involvement as parties to the negotiations for Namibian independence, which would only be complicated by their taking a position on the substance of the resolution before them. This has been the consistent position of the Western Five when dealing with any controversial General Assembly resolution since the beginning of the Namibia initiative.

In his closing statement May 31 on behalf of the host country, and referring to the broader activity of the General Assembly rather than the resumed session on Namibia, the U.S. Representative noted that the United Nations had accomplished a great deal but could not be content with its accomplishments when much remained to be done. Ambassador Petree stated that:

This organization, after all, was established in the belief that the world needed a different approach to the problems of international relations. Power politics there would always be, but it was hoped that through the creation of international institutions the world would be able to address its problems with greater wisdom, greater fairness, and greater openness, all in the spirit of a collective concern for the security and integrity of all nations. We would urge that each of us examine closely the reasons why in so many cases we are not achieving the goals set forth in the Preamble of the United Nations Charter.

We would also urge all to reflect long and hard on the cost to the institution of transient victories. Unless reason and compromise prevail we shall harm the very institution whose precepts and goals we are so desirous of preserving.

The 34th General Assembly was originally scheduled to consider Namibia in mid-November. However, on November 19 member states were informed that the debate had been postponed until December, apparently to allow the Assembly members to take account of South Africa's response to an additional round of proximity talks held in Geneva on the Namibia question before the debate in the General Assembly took place.

The debate finally got underway December 6 with the circulation of six draft resolutions. A seventh resolution was circulated December 10. Common themes throughout virtually all the statements were support for the people of Namibia, SWAPO, and the Council for Namibia; condemnation of South African obstruction, repression, and aggression against neighboring states; denunciation of South African efforts to promote an internal settlement and further denunciations of its illegal occupation of Namibia; concern for the fact that the settlement efforts of the past 2 years had not been successful; and criticism of the West for protecting South Africa by opposing the imposition of sanctions. The debate concluded on December 10.

On December 10 the Representative of the Federal Republic of Germany, on behalf of the Western Five, outlined the efforts to bring about a settlement in Namibia, particularly their attempt to elaborate upon the proposal by the late Angolan President Agostinho

Neto for a demilitarized zone along Namibia's northern borders with Angola and Zambia in an effort to respond to South Africa's concern about the proposal for Front Line monitoring of external SWAPO bases. In conclusion, he called upon all parties to the Namibian conflict to exercise restraint even in the face of provocation and to rededicate themselves to an internationally acceptable settlement in the territory.

Voting took place on December 12 with the adoption by the Plenary of all seven resolutions, two by consensus and five by overwhelming majorities, with no negative votes cast. The Western Five abstained on those five resolutions saying that they did not want the Namibia settlement effort complicated by their taking a position on the substance of the main resolutions before the Assembly.

The first resolution, "Program of Work of the United Nations Council for Namibia," was adopted by a vote of 138 to 0, with 5 abstentions (U.S.). The resolution, *inter alia*, approved the report of the Council for Namibia and reaffirmed the Council's position as the legal administering authority for Namibia until independence and as the policymaking organ of the United Nations for Namibia. The resolution instructed the Council to denounce South African political schemes in Namibia; to promote nonrecognition of any internal settlement in Namibia; to maintain the territorial integrity of Namibia, including Walvis Bay; to continue to mobilize international political support for the transition of majority rule in the territory; and to hold a series of meetings in Africa to explore the issue, informing international opinionmakers and others of the objectives of the Council and the struggle of the Namibian people for freedom. The Council was further instructed to take all possible measures to ensure compliance with its Decree No. 1 on the protection of the natural resources of Namibia; to coordinate aid for Namibia provided through the UN system; to act as trustees of the UN Fund for Namibia; to coordinate the program for Namibia in consultation with SWAPO; to provide the broad guidelines for UN policy on Namibia; and to continue to entrust such executive and administrative duties as are necessary to the United Nations Commissioner for Namibia. The resolution further decided to increase the financial provision in the budget to the Council for Namibia to finance the office of SWAPO in New York and to defray the expenses of SWAPO representatives whenever the Council for Namibia decides it is necessary. (Resolution 34/92 A.)

A second resolution, "Intensification and Coordination of United Nations Action in Support of Namibia," was adopted by a vote of 134 to 0, with 9 abstentions (U.S.). This resolution (1) called upon all states to comply with relevant General Assembly and Security Council resolutions on Namibia; (2) urged states to break off economic relations with South Africa that concern Namibia; (3) condemned private

investors and foreign corporations operating in Namibia under South African administration, noting that their exploitation of Namibian resources is illegal; (4) supported Decree No. 1 of the Council for Namibia; and (5) requested the Council for Namibia to expose corporations supplying arms and ammunition to South Africa, continue examination of the exploitation of trade in Namibian uranium by foreign economic interests and report on its findings to the General Assembly at its 35th Session; and notify the governments of states whose corporations operate in Namibia and the administrators of the corporations of the illegality (in the view of the General Assembly) of their activities. (Resolution 34/92 B.)

The third resolution, "Action by Inter-Governmental and Non-Governmental Organizations with Respect to Namibia," was adopted by a vote of 136 to 0, with 7 abstentions (U.S.). The resolution, *inter alia*, requested all UN-system organs to grant full membership to the United Nations Council for Namibia and to grant the Council a waiver of the dues assessment which Namibia would otherwise be charged. In this regard the resolution granted full membership to the Council in the United Nations Conference on Trade and Development and in the Third United Nations Conference on the Law of the Sea, both of which were established under the General Assembly. (Resolution 34/92 C.)

The fourth resolution, "Nationhood Program for Namibia," was adopted by consensus. This resolution, among other things, requested the Council for Namibia, in consultation with SWAPO, to coordinate the planning and implementation of the nationhood program for Namibia, with the aim of consolidating all measures of assistance to Namibians by the specialized agencies and other UN organs into a comprehensive assistance program. It further requested UN organs providing assistance to Namibia to do so within the context of the nationhood program for Namibia. The resolution expressed its appreciation to various UN specialized agencies and other organs for their assistance to the Council for Namibia and appealed to the UN system and member states for further contributions to the nationhood program. (Resolution 34/92 D.)

The fifth resolution, "United Nations Fund for Namibia," was adopted by consensus. This resolution, *inter alia*, (1) decided that utilization of resources of the UN Fund for Namibia should be considered in the context of the implementation of the nationhood program for Namibia; (2) decided as a temporary measure to allocate \$500,000 from the regular UN budget for 1980 to the UN Fund for Namibia; (3) expressed appreciation to UN organs and member states for their contributions; (4) decided that Namibia should remain eligible for assistance under the United Nations Educational and Training Program for Southern Africa and the United Nations Trust Fund

for South Africa; and (5) requested a further report from the Council for Namibia on the Trust Fund at the 35th General Assembly. (Resolution 34/92 E.)

The sixth resolution, "Dissemination of Information on Namibia," was adopted by a vote of 139 to 0, with 5 abstentions (U.S.). In its operative paragraphs this resolution, among other things, requested various UN organs to provide all possible assistance to the Council for Namibia in the dissemination of information on Namibia. More importantly, the resolution requested the International Telecommunications Union to assign to the Council for Namibia an adequate number of frequencies for broadcasts into Namibia, and pending the establishment of its own broadcasting service by the Council, to assign to the governments of neighboring African countries, for use inside Namibia, frequencies allocated to the Council by the ITU. Further, it requested the Council for Namibia, in consultation with the ITU, to investigate the jamming by South Africa inside Namibia, with a view to instituting legal proceedings against South Africa before the International Frequency Registration Board. (Resolution 34/92 F.)

The final resolution, "Situation in Namibia Resulting From the Illegal Occupation of the Territory by South Africa," was adopted by a vote of 125 to 0, with 17 abstentions (U.S.). The resolution, *inter alia*, (1) reaffirmed the status of SWAPO as the sole and authentic representative of Namibian people; (2) reaffirmed the legitimacy of the liberation struggle of the Namibian people by all means at their disposal; (3) declared that the continuing South African occupation of Namibia constitutes an act of aggression against the Namibian people and their liberation movement as well as the United Nations; (4) supported the armed struggle of the Namibian people led by SWAPO and appealed to all member states to grant all necessary support and assistance to SWAPO in its liberation struggle; (5) reiterated that Walvis Bay is an integral part of Namibia; (6) urged member states to take no action which would appear to recognize or cooperate with any regime established by South Africa in Namibia; (7) called upon all states to take effective legislative measures to prevent the recruitment, training, and transit of mercenaries for service in Namibia; (8) declared that South African activities in Namibia constitute a serious threat to international peace and security; (9) condemned those Western states (unnamed) which have assisted South Africa in developing a nuclear capability and urged all member states to frustrate attempts by South Africa to develop nuclear weapons; (10) condemned the activities of foreign corporations operating in Namibia under the South African Administration and demanded that transnational corporations abstain from new investment in Namibia, withdraw from the territory, and put an end to their

cooperation with the South African Administration in Namibia; and (11) demanded that South Africa urgently comply fully and unconditionally with Security Council resolutions on Namibia, in particular resolution 385 (1976). In addition, it called upon the Security Council to act against efforts of the South African regime to frustrate the "legitimate aspirations of the Namibian people" and to convene urgently to impose comprehensive and mandatory sanctions against South Africa under Chapter VII of the Charter, to ensure South Africa's immediate compliance with resolutions and decisions of the United Nations relating to Namibia. (Resolution 34/92 G.)

Speaking on behalf of the Western Five, the Canadian Representative said that the Contact Group reaffirmed its unabated commitment to the early implementation of Security Council resolution 435 (1978) and attachment to the provisions of the UN Charter. He stressed the Western Contact Group's commitment to its Namibia initiative and noted that it did not wish to complicate matters by taking a position on the substance of the main resolutions before the Assembly. He explained that it was on procedural grounds and without prejudice to the positions of the Five that the delegations had abstained on five of the seven resolutions adopted.

Abstention on controversial resolutions is the consistent position of the Western Five before the General Assembly and has been since the beginning of the Namibia initiative in April 1977.

SOUTHERN RHODESIA

Security Council

The Security Council held four series of meetings on Rhodesia in 1979. The first of these sessions, which took place March 2-8, was called primarily in response to elections scheduled by the Salisbury regime for the following month but also in response to Rhodesian attacks inside Angola, Zambia, and Mozambique. The initial draft resolution, prepared by the UN African states, addressed both these questions and criticized the United States and the United Kingdom by name. However, the African representatives were prepared to discuss the content of their resolution and to modify it to some extent in order to avoid a veto or, if possible, obtain consensus approval. Ambassador Young made three statements during the course of the debate, the first on March 5. In that statement, he condemned Rhodesian attacks on neighboring countries in the following terms:

These attacks can only render more difficult a peaceful settlement in Rhodesia, and they have cost many human lives. . . . We deplore all attacks on non-combatants, and we deplore these attacks against neighboring states. Such attacks

complicate our chances for rational transition to majority rule in Rhodesia and make more difficult efforts throughout southern Africa to promote peaceful change.

My Government believes that this Council should forthwith condemn, on behalf of the world community, this calculated and deliberate escalation of violence in southern Africa.

In informal discussions between African and Western representatives, which followed the March 5 Security Council meeting, it became clear that the principal problem between the Western nations and the drafters of the resolution was the question of election observers. The draft resolution urged all states to refrain from sending observers to the scheduled Rhodesian elections and to discourage their domestic organizations and institutions from doing so. In the case of the United States the observer question was the subject of U.S. Congressional consideration at that time, and U.S. support for such language would have appeared to prejudge the Congressional decision.

The Security Council next met on March 6 to consider the draft resolution which had gained the support of the non-aligned nations. The Council met subsequently on March 8 and adopted the draft resolution by a vote of 12 to 0, with 3 abstentions (France, U.K., U.S.). (Resolution 445 (1979).) The resolution, *inter alia*, condemned the Rhodesian armed invasions of Angola, Mozambique, and Zambia; condemned the Rhodesian elections scheduled for April 1979 as being aimed at retaining and extending racist minority rule; labeled the elections and their results null and void and declared that no recognition would be accorded them by any UN member state; and urged all states to refrain from sending observers to the elections and to take appropriate action to discourage organizations and institutions within their respective areas of jurisdictions from doing so.

Speaking in explanation of the vote, Ambassador Young emphasized that the United States would not support the Rhodesian elections. He stated that the U.S. favored the overall thrust of the resolution but had abstained due to reservations on various aspects of the text. With regard to the weight of the resolution, Ambassador Young remarked that:

... this is not a mandatory resolution; it does not give rise to binding obligations. The resolution's references to the responsibilities of member states refer, in my Government's view, to the enforcement measures decided upon by the Council in the past. Those provisions of the resolution having to do with observers must be considered in the light of the arrangements, limitations, and responsibilities defined by the constitution and the public and legal practice of each member state.

We do not believe that this resolution is intended to raise obstacles or barriers to the negotiation of a peaceful and just settlement of the Rhodesian problem. The United States does not interpret this resolution as endorsing the use of force from any quarter or approving measures that support the use of force. This resolution must be interpreted in the light of Charter obligations to settle international disputes by peaceful means and to ensure that armed force shall not be used save in the common interest.

Following the vote, Ambassador Young again intervened to note that the U.S. objection to the resolution was essentially to the idea that the Council could decide for citizens of the United States where and when they should travel.

On April 25, following the elections in Rhodesia, which resulted in the election of Bishop Abel Muzorewa as Prime Minister, the African Group at the United Nations decided to call for a Security Council meeting to denounce this electoral process. At a meeting on April 27 a draft resolution was introduced. Adopted April 30 by a vote of 12 to 0, with 3 abstentions (France, U.K., U.S.) the resolution, in language recalling that of the earlier resolution 445 (1979), strongly condemned all attempts at maneuvers by the illegal Rhodesian regime to retain and extend racist minority rule in Rhodesia; reaffirmed that the internal elections and their results were null and void; and reiterated its call to all states to accord no recognition to any representative of or organ established by that electoral process.

In his statement before the Council April 30, Ambassador Donald F. McHenry stated the U.S. view that both sides of the Rhodesia question should take a first and significant step to accept the principle of UN-supervised elections in Rhodesia and to agree to negotiate the conditions for holding such elections. Ambassador McHenry also reiterated the U.S. view that this resolution, as was resolution 445, was not mandatory and did not give rise to mandatory obligations. He then went on to note that:

The President is required, under United States law, to make a determination as to whether the recent elections in Rhodesia were free and fair. The President will issue his determination on the basis of the complete analysis of the situation in Rhodesia, taking fully into account the international obligations and responsibilities of the United States. Pending that determination, it would not be appropriate for the United States to take a position on the resolution now before the Security Council, and accordingly, the United States will abstain from voting on the draft resolution when it comes to a vote.

Before the next Security Council meeting on Rhodesia, which took place in November, a number of significant events had occurred which eventually led to a settlement of the Rhodesian problem. In August the Commonwealth Conference met in Lusaka and approved a unilateral attempt by Great Britain, with Commonwealth support, to bring about a final settlement in Rhodesia through direct negotiations among all the parties. In September Great Britain convened the Lancaster House Conference. In mid-November, through a demonstration of superb diplomacy, the British obtained agreement from the parties to all elements of a solution for the peaceful transition to an independent Zimbabwe, with the exception of the terms of a cease-fire. When, in November, forces of Zimbabwe-Rhodesia struck at Zambian bridges and at economic targets in that country with the aim of increasing economic as well as military pressure

on the Zambian Government, Zambia complained to the Security Council on November 22. Late in the day on November 23, a draft resolution sponsored by the non-aligned members, which had been the subject of informal consultations since the previous day, was adopted by consensus as Security Council resolution 455 (1979).

Inter alia, the resolution strongly condemned the Salisbury regime for its "continued, intensified and unprovoked acts of aggression against the Republic of Zambia"; condemned South African collusion in these acts of aggression; called upon the United Kingdom as the administering authority to take measures to ensure that the Salisbury regime did not commit similar acts in the future; called for the payment of compensation to Zambia by responsible authorities; and established an *ad hoc* committee composed of four members of the Security Council to be appointed by the President to assist the Council in implementing the resolution. In the U.S. statement to the Security Council on November 23, Ambassador Richard W. Petree expressed particular concern that the present attacks were directed against civilian and economic targets in Zambia, primarily affecting non-combatants. Ambassador Petree expressed the full support of the United States for the Lancaster House process and condemned any activity which might jeopardize that process, noting that the quickest way to bring about a halt to violence is a prompt agreement on the cease-fire and implementation of the transitional period.

The fourth phase of Security Council consideration of Rhodesia in 1979 began with the British letter of December 12 to the President of the Security Council informing him that:

... after 3 months of negotiation, agreement has been reached on an Independence Constitution providing for genuine majority rule. This Constitution was enacted by Order in Council on 6 December. Agreement has also been reached on arrangements for the transitional period, including the holding of elections supervised under the United Kingdom's authority, and on the United Kingdom Government's cease-fire proposals. . . . In these circumstances, the obligations of Member States under Article 25 of the Charter in relation to those measures are, in the view of the Government of the United Kingdom, to be regarded as having been discharged. This being so, the United Kingdom is terminating the measures which were taken by it pursuant to the decisions adopted by the Council in regard to the then situation of illegality.

On November 14, under a legal requirement to act, President Carter had decided that although the April elections in Rhodesia were fair, the United States would nevertheless maintain sanctions. The President further stated that he would be prepared to lift sanctions when a British Governor assumed authority in Rhodesia and a process leading to impartial elections had begun. On December 15 the Department of State announced that with the arrival of the British Governor in Salisbury, the United Kingdom had assumed legal and constitutional authority in Rhodesia and a process leading to impar-

tial elections and independence had begun. The statement noted that certain issues relating to implementation of the cease-fire were not yet agreed upon but that recent British proposals appeared to provide the assurances necessary for the Patriotic Front to have confidence in the conditions under which the elections would take place. This being the case, the aims and objectives of UN sanctions having been met, the announcement reported the President's executive order to lift all U.S. sanctions against Rhodesia effective midnight December 16.

The United Kingdom acted unilaterally to lift sanctions based upon its unique position as the administering and colonial authority in Rhodesia, pointing out that as the state of rebellion had come to an end, the conditions which required the United Kingdom originally to request the Security Council to impose sanctions no longer existed and consequently the United Kingdom was in a position to determine that nations need no longer adhere to Security Council sanctions against Rhodesia. The U.S. position was based in part on the legal view that while Security Council sanctions may be mandatory, they are not self-executing and that the United Nations Participation Act allows the President certain discretion both in implementing and revoking U.S. observance of sanctions. A number of African nations disagreed with these interpretations, however, and this difference of view engendered some criticism of the United States, the United Kingdom and other Western nations which had unilaterally lifted sanctions, when the Security Council met later in December.

With final agreement at Lancaster House virtually certain, the Security Council held informal consultations December 20 on a draft resolution lifting sanctions. On December 21 the Lancaster House documents were signed, and on the same day the Council met and adopted Security Council resolution 460 (1979) by a vote of 13 to 0, with 2 abstentions (Czechoslovakia, U.S.S.R.). The resolution decided, having regard to the Lancaster House Agreement, to call upon member states to terminate sanctions; further decided to dissolve the Rhodesia Sanctions Committee; called upon UN member states and specialized agencies to provide urgent assistance to Rhodesia and the Front Line states for reconstruction and to facilitate the repatriation of refugees; called for strict adherence to the agreements by all parties; and called upon the United Kingdom to ensure that no South African or other external forces remained in or entered Rhodesia except those forces provided for under the Lancaster House Agreement.

Speaking for the United States, Ambassador William vanden Heuvel welcomed the Lancaster House Agreement as a triumph of the constructive spirit and a victory for all. Ambassador vanden Heuvel noted that while no one underestimated the practical dif-

difficulties of implementation which lay ahead, the door to true majority rule and independence had been opened. He stated that it was in recognition of the fact that the objective of sanctions had been achieved, that the United States had made its recent announcement regarding the lifting of sanctions.

General Assembly

Influenced by the continuing and increasingly successful negotiations at Lancaster House, the Rhodesia debate in the Fourth Committee and the General Assembly did not proceed according to the usual pattern. Instead, debate in the Fourth Committee, which began on November 8 and concluded December 11, was generally restrained, with the majority of African countries supporting the London talks, albeit cautiously. The United Kingdom, as the administering power, made a statement at the beginning of debate to report on important developments during the previous year. In particular, the statement reviewed the progress of the talks at Lancaster House and urged the General Assembly to take no action which could in any way impede the progress of those discussions. The harshest attacks on British conduct at Lancaster House were made by Libya and the Soviet Union.

Speaking on behalf of the United States, Ambassador Petree, on November 30, expressed complete U.S. support for the British Government's efforts to negotiate a peaceful and enduring solution at Lancaster House. Ambassador Petree commended the readiness of all parties to compromise many of their differences in the interest of a negotiated settlement and expressed opposition to any action which could threaten the chances for a peaceful solution, in particular, recent attacks into Zambia by Rhodesian forces. Regarding sanctions, Ambassador Petree noted that President Carter had been required by domestic legislation to make a formal determination by November 15, 1979, on the question of continued U.S. enforcement of UN sanctions against Rhodesia, and that the President had informed the U.S. Congress on November 14 that while encouraging progress toward a negotiated settlement had been achieved at the Lancaster House conference, it was not sufficient to justify any action by the United States to cease the enforcement of UN sanctions against Rhodesia. Ambassador Petree pointed out that any step in regard to sanctions by the United States could jeopardize the negotiations at Lancaster House and the chances for a successful settlement in Zimbabwe; but that it would of course, keep the question under continuous review. He recalled that the United States had stated it would be prepared to end sanctions against Zimbabwe-Rhodesia when a British Governor

assumed authority in Salisbury and the process leading to impartial elections had begun.

The Fourth Committee recommended that any decision on Rhodesia be taken directly by the General Assembly in plenary session. There was no other recommendation regarding General Assembly action nor was any draft resolution forwarded to the Assembly.

However, in light of developments and the impending agreement at Lancaster House, 22 African countries sponsored a draft resolution, which was introduced in the General Assembly on December 18. The draft resolution, *inter alia*, commended the Patriotic Front for its decisive contribution to the negotiations; condemned the presence of South African forces inside Rhodesian territory as well as the use of mercenaries therein; called upon the administering power to ensure the complete and immediate withdrawal of South African forces and mercenaries from Rhodesia; declared that Security Council resolutions imposing sanctions could be revoked only by the Security Council and not by unilateral actions by any member state; and requested all states to give substantial material assistance to the Governments of Angola, Botswana, Mozambique, and Zambia. The resolution was adopted December 18 by a vote of 107 to 16 (U.S.), with 21 abstentions. (Resolution 34/192.)

In explanation of the vote, the U.S. Representative, Esther Coopersmith, said:

The United States could not support this resolution in any event because it not only violates the 24-hour rule but also has been presented to the Assembly as a *fait accompli*. Our negative vote reflects as well the disappointing substance of the resolution itself. After many years a rebellion has been brought to an end and a process of peaceful change has begun. My Government could support a resolution that reflected that reality. Such a resolution would welcome the achievements of Lancaster House, would praise the parties involved—officials of the United Kingdom and the political leaders of Zimbabwe—for their perseverance, for their cooperation, and for their willingness to compromise in the interests of the future of Zimbabwe. It would offer the assistance of the UN family to its newest member which will need help and understanding to bind up the wounds of war. The measure which we are asked to consider and vote upon today dwells on the past to no useful purpose. It reaffirms the right of the armed struggle, as though there had been no agreement at Lancaster House; commends only the Patriotic Front, as though there had been no other participants at the conference. We share the concerns of sponsors of the resolution regarding the intentions of South Africa in Rhodesia, but it would have been appropriate to note the statement of the British authorities to the effect that there could be no question of any activity by foreign forces in Rhodesia once the British Governor had assumed authority there. This resolution declares the Patriotic Front as the sole legitimate representative of the people of Zimbabwe even though the primary purpose of the Lancaster House agreement, accepted by the Patriotic Front, was to devise the procedure which would enable the people of Zimbabwe to decide for themselves who should represent them. Finally, I wish to note that it is inappropriate for the General Assembly to impose limits on resolutions adopted by the Security Council.

OTHER QUESTIONS

Other Territories

Under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples," the Fourth Committee, at 17 meetings between October 17 and November 19, considered and approved the chapters of the report of the Committee of 24 relating to 15 territories not covered by other agenda items. In addition to the resolutions on U.S. territories (discussed in previous sections of this report), the Committee approved resolutions or consensuses concerning New Hebrides (resolution 34/10); Bermuda, British Virgin Islands, Montserrat, Turks and Caicos Islands, and Cayman Islands (resolution 34/34); Western Sahara (resolution 34/37); Belize (resolution 34/38); Cocos (Keeling) Islands (decision 34/409); Tokelau (decision 34/410); St. Helena (decision 34/411); and Gibraltar (decision 34/412). These were all subsequently adopted by the General Assembly in plenary session on November 21, except for the resolution on New Hebrides which was adopted on November 2. All were generally similar in substance to those adopted in previous years. The Committee decided to defer until the 35th General Assembly consideration of Brunei, the Falkland Islands (Malvinas), Pitcairn, and Antigua and St. Kitts-Nevis-Anguilla. In each case, except those of Western Sahara and Belize, the resolutions were adopted by consensus both in Committee and in the plenary session of the General Assembly.

In general, the resolutions adopted by the Assembly approved the relevant chapter of the Committee of 24's report; reaffirmed the right of the people of the territory to self-determination and independence and requested the Special Committee on Decolonization to continue to examine the situation and report to the General Assembly at its 35th session. Many of the General Assembly resolutions and consensuses, including those on the U.S. territories, also reaffirmed the conviction that territorial size, geographical location, and limited resources should in no way delay the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, with respect to the territory concerned; called for the strengthening and diversification of the local economy; urged that effective measures be taken to safeguard the right of the local people to establish and maintain control over their natural resources; requested that the assistance of specialized agencies within the UN system be enlisted in the territory; and requested that the possibility of a visiting mission to the territory be considered.

WESTERN SAHARA

In the case of Western Sahara, the current problem dates back to 1976 when Morocco and Mauritania, going beyond a 1975 accord with Spain, divided the former Spanish colony between themselves. An indigenous "liberation movement" the POLISARIO,³ conducted a guerrilla conflict against Morocco and Mauritania, which resulted in Mauritania abandoning the conflict and ceding its control over a portion of the Sahara to the POLISARIO in 1979. Morocco then extended its claims to include the one-third of the Sahara formerly under Mauritanian sway, and the guerrilla conflict between Morocco and the POLISARIO continued.

In the summer of 1979 Morocco briefly took the Western Sahara question to the Security Council to complain of attacks by the POLISARIO into Morocco proper. On June 13 the Moroccan Permanent Representative to the United Nations addressed a letter to the President of the Security Council requesting that he make the necessary arrangements to convene a meeting of the Council to consider "the acts of aggression committed by the Algerian Government against Morocco." The letter referred to military actions by the POLISARIO within Morocco. On June 15, in response to another POLISARIO attack into southern Morocco, Morocco submitted a second letter to the Security Council President requesting an urgent Security Council meeting to consider its complaint against Algeria.

As a result of informal consultations, it was agreed that the Council would meet June 20 and that the agenda item would consist of citation of the Moroccan letters of June 13 and 15 to the Security Council President. It was agreed that the POLISARIO would be allowed to take the floor if such a request were made by a Council member. Morocco and Gabon opposed the right of the POLISARIO to speak, but other members, including the United States, citing Rule 39,⁴ accepted the right of the POLISARIO representative to address the Council.

The Security Council held four meetings between June 20 and 25 to consider the complaint of Morocco. During these sessions, statements were made by Morocco, Algeria, and the POLISARIO.

On June 23 an action by the Organization of African Unity (OAU) changed the character of the Security Council consideration of the question, when the recommendations of the "Committee of Wise Men"—appointed by the OAU in 1978 to study the Western Sahara

³ Frente Popular para la Liberacion de Saguia el Hamra y Rio de Oro.

⁴ Rule 39 of the Provisional Rules of Procedures of the Security Council allows the Security Council to invite persons, whom it considers competent, to supply information or give other assistance in examining matters before it.

situation—were made known. The report recommended a general cease-fire, the exercise of the right of self-determination by the Saharans, and establishment of a special OAU committee to supervise a referendum and to arrange a meeting of all concerned parties to request their cooperation in the application of the Committee's recommendations.

Morocco concurred in a request by the President of the OAU that the Security Council suspend action on the Moroccan complaint; and, at the Security Council's meeting on June 25, the Security Council President announced adjournment of further consideration of the item. No resolution was adopted or considered by the Council, and the United States did not speak during the course of these meetings. In the wake of OAU rejection, at the 1979 Monrovia Summit,⁵ of Moroccan claims to sovereignty in the Sahara and OAU insistence on a referendum to determine the views of the people, supporters of the POLISARIO took action in the Fourth Committee. Forty-one states including Algeria sponsored a resolution which, *inter alia*, reaffirmed the inalienable right of the people of Western Sahara to self-determination and independence; welcomed the peace agreement between Mauritania and the POLISARIO; deeply deplored the continued occupation of Western Sahara by Morocco; urged Morocco to terminate the occupation; recommended that the POLISARIO should participate fully in a search for a just, lasting, and definitive political solution; and invite the UN Secretary General to report on Western Sahara at the 35th General Assembly. The resolution was approved in the Fourth Committee on November 2 by a vote of 83 to 5, with 43 abstentions (U.S.). The General Assembly adopted it on November 21 by a recorded vote of 85 to 6, with 41 abstentions (U.S.). (Resolution 34/37.)

BELIZE

The Belize resolution was taken to a vote because of the sharp difference of views between the United Kingdom and Guatemala, which has territorial claims to Belize, as to the appropriate outcome of the decolonization process. On November 6 the Fourth Committee, by a rollcall vote of 123 (U.K.) to 1 (Guatemala), with 7 abstentions (U.S.), approved a draft resolution sponsored by 50 states, including the United Kingdom. This resolution, *inter alia*, reaffirmed the inviolability and territorial integrity of Belize; urged the United Kingdom, Belize, and Guatemala to conclude negotiations without prejudice to

⁵ Assembly of Heads of State and Government of the OAU at its 16th ordinary session, held at Monrovia from 17-20 July.

the right of the people of Belize to self-determination, independence, and territorial integrity; and called upon all parties to refrain from exerting any pressure or the use of threats or force against the Government and people of Belize. Guatemala introduced seven amendments to the draft resolution in the Fourth Committee, each of which was defeated by vote totals ranging 10-12 in favor, 98-105 opposed, with 12-15 abstentions; the United States abstained on all the amendments. On November 21, the General Assembly adopted the draft resolution by a recorded vote of 134 (U.K.) to 0, with 8 abstentions (U.S.). Guatemala did not participate in the vote. (Resolution 34/38.)

East Timor

The problem of East Timor dates back to August 1975, when fighting broke out between Timorese political factions. As a result of the conflict, Portuguese authorities were forced to withdraw, disrupting plans for an orderly decolonization process. In November 1975, one of the local parties, FRETILIN,⁶ declared the independence of the territory and the establishment of the Democratic Republic of East Timor, while four others proclaimed its integration into Indonesia.

Indonesian troops entered the territory to assist the latter parties in their struggle against FRETILIN, and East Timor was formally integrated into Indonesia on July 17, 1976. On November 2, 1979, the Fourth Committee approved a draft resolution on East Timor sponsored by 21 states by a vote of 55 to 26 (U.S.), with 42 abstentions. The resolution, *inter alia*, declared that the people of East Timor must be enabled freely to determine their own future, under the auspices of the United Nations; expressed its deepest concern at the suffering of the people of East Timor as a result of the situation prevailing; called upon all parties concerned to facilitate the entry into the territory of relief aid in order to alleviate the suffering; and requested that the Secretary General report on the implementation of the resolution at the 35th General Assembly. This resolution was adopted by the General Assembly on November 21 by a recorded vote of 62 to 31 (U.S.), with 45 abstentions. (Resolution 34/40.)

Puerto Rico

The General Assembly removed Puerto Rico from the list of non-self-governing territories in 1953, 1 year after Puerto Rico adopted its

⁶ Frente Revolucionaria de Timor Leste Independente.

current Commonwealth form of government.⁷ However, in recent years, in spite of strong U.S. objections that it has no authority to do so, the Special Committee on Decolonization, at the instigation of Cuba, has held hearings on Puerto Rico under the agenda item concerning the list of territories to which the Declaration on the Granting of Independence to Colonial Countries and People (General Assembly resolution 1514) is applicable. The United States does not participate in the Committee's consideration of Puerto Rico on the grounds that such consideration is outside the jurisdiction of the Committee and constitutes interference in U.S. and Puerto Rican internal affairs.

The Special Committee on Decolonization considered the question of Puerto Rico at four meetings between August 13 and 15, 1979, hearing a total of 15 individuals or representatives of organizations. On August 15 the Committee adopted a resolution sponsored by Cuba and Iraq which, among other things, reaffirmed the inalienable right of the people of Puerto Rico to self-determination and independence; noted that the United States had not complied with calls for the "complete transfer of all powers" to the Puerto Rican people; condemned the "persecution, harassment and repressive measures to which the organizations and individuals struggling for independence and self-determination of the people of Puerto Rico have been subjected" and expressed the desirability of a factfinding mission to compile all relevant data; urged that four Puerto Rican "political prisoners" be immediately and unconditionally released; demanded that U.S. armed forces terminate permanently their operations in the island municipality of Vieques; and decided to keep the question of Puerto Rico under continuous review. The resolution ignored President Carter's July 25, 1978, Proclamation to the people of Puerto Rico, which reaffirmed his support and intention to urge Congress to support whatever status—statehood, independence, Commonwealth status, or mutually agreed modifications in that status—the people of Puerto Rico might freely choose. It also ignored the joint resolution adopted by the U.S. Congress on August 2, 1979, which reaffirmed the right of the people of Puerto Rico to determine their own political future.

The Iraqi/Cuban resolution was adopted by the Committee by a vote of 11 to 0, with 12 abstentions. The resolution was included in the report of the Special Committee on Decolonization to the 34th General Assembly. The Assembly adopted a resolution dealing with various aspects of the Committee's report. The United States voted against the resolution in part because of its reference to Puerto Rico, which it deplored for its misrepresentation of facts and because it had the effect of denying the right of the people of Puerto Rico to self-

⁷ Resolution 748 (VIII).

determination by mentioning only independence as a future political status option. (See p. 286 for General Assembly consideration of the resolution.)

General Resolutions on Colonialism

As in previous years, the General Assembly also adopted, under several different agenda items, a number of resolutions on different aspects of colonialism and racial discrimination.

FOURTH COMMITTEE RESOLUTIONS

At four meetings between October 3 and November 19, the Fourth Committee considered the agenda item "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Peoples in Southern Rhodesia and Namibia and in all other territories under colonial domination and efforts to eliminate colonialism, apartheid and racial domination in Southern Africa." On November 14, 32 non-aligned and Eastern European states proposed a resolution which was identical to General Assembly resolution 33/40 of 1978, with the addition of several operative paragraphs. The draft resolution, *inter alia*, commended the new government of Iran for severing diplomatic, military, economic, and trade links with South Africa; condemned all activities of foreign economic and other interests operating in Namibia, Southern Rhodesia, and South Africa; condemned all countries maintaining political, diplomatic, economic, trade, military, nuclear, and other relations with South Africa and Southern Rhodesia; and endorsed an OAU summit resolution proposing an international conference in 1980 on the application of economic and other sanctions against South Africa.

The draft was approved by a rollcall vote of 86 to 15 (U.S.), with 32 abstentions, and adopted by the General Assembly in plenary session on November 21 by a recorded vote of 88 to 15 (U.S.), with 33 abstentions. (Resolution 34/41.)

On October 8 in the Fourth Committee, the U.S. Representative, John A. Graham, pointed out that Eastern European countries who so severely criticized the United States and others whose foreign economic interests were represented in South Africa, likewise carried on commercial and trade relationships with that state. He noted specifically the significant trade between South Africa and Czechoslovakia, Hungary, and Poland. Mr. Graham also stated that it was inaccurate to label all foreign economic interests in non-self-governing territories as "plundering, rapacious, totally amoral,

irresponsible" when they were essential to technology transfer, provision of balance-of-payments receipts, and promotion of training and growth.

The U.S. Representative, William L. Dunfey, speaking in the Fourth Committee on October 11, underscored the U.S. position that foreign investments in non-self-governing territories were not, by nature, detrimental to the peoples of those territories, although current patterns of foreign economic involvement in non-self-governing territories left much to be desired; rather, efforts should be focused on ameliorating these shortcomings and making investment work. Mr. Dunfey discussed at length the voluntary code of principles governing the conduct of many U.S. firms in South Africa, with a view to adopting progressive labor policies.

In the case of Zimbabwe, the United States fully supported economic sanctions under Chapter VII of the Charter, and he reported that other than permissible humanitarian assistance, there was no U.S. trade with Zimbabwe. Regarding Namibia, the United States supported Security Council resolutions and International Court of Justice rulings that required that member states' economic and political relations with South Africa not convey legal recognition to its administration of Namibia.

Under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations," the Fourth Committee approved a draft resolution introduced by Bulgaria and sponsored by 44 states. The resolution, *inter alia*, reaffirmed that organizations within the UN should extend "all the necessary moral and material assistance" to the peoples of the colonial territories and their national liberation movements; expressed concern that assistance to date, particularly to Zimbabwe and Namibia, was far from adequate; regretted that the World Bank and the International Monetary Fund had not yet taken "the necessary measure toward the full and speedy implementation" of the decolonization resolutions, and deplored in particular that they continued to cooperate with South Africa; and requested the specialized agencies and other organizations within the UN system to render "all possible moral and material assistance" to the colonial peoples in Africa struggling for their liberation from colonial rule.

The draft resolution was approved in the Fourth Committee on December 5 by a recorded vote of 177 to 0, with 8 abstentions (U.S.). In explanation of the vote, the U.S. Representative stated that increased politicization of the specialized agencies was undermining their effectiveness in performing the technical and humanitarian functions for which they were established. He stated additionally that the assistance of those agencies should be offered to the people

of southern Africa, not the liberation movements. The resolution was adopted by the General Assembly on December 13 by a rollcall vote of 137 to 0, with 8 abstentions (U.S.). (Resolution 34/42.)

As in previous years, the United States supported two resolutions concerning education and training for indigenous inhabitants of non-self-governing territories. Both were adopted without objection in the Fourth Committee on November 6 and in plenary on November 21. The first resolution, introduced by Canada and sponsored by 39 states, including the United States, appealed to all states, organizations, and individuals to make generous contributions to the UN Educational and Training Program for southern Africa. (Resolution 34/31.) The second resolution, sponsored by 19 states, invited all states to make generous offers of study and training facilities to the inhabitants of non-self-governing territories, particularly those in southern Africa. (Resolution 34/32.)

A draft resolution on "Information from Non-Self-Governing Territories transmitted under Article 73e of the Charter of the United Nations," sponsored by 13 states, was approved by the Fourth Committee on November 6 by a recorded vote of 77 to 0, with 4 abstentions (U.S.) and adopted by the Assembly on November 21 by a vote of 136 to 0, with 3 abstentions (U.S.). (Resolution 34/33.) The resolution, *inter alia*, reaffirmed that, in the absence of a decision by the General Assembly that a non-self-governing territory has attained a full measure of self-government, an administering power should continue to transmit information on the territory under article 73e. The United States abstained because it disagreed with the view that the General Assembly is the definitive authority as to when a territory has achieved a full measure of self-government.

PLENARY RESOLUTIONS

On December 13 the Assembly adopted two resolutions under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." The first of these, a general colonialism resolution sponsored by 39 states, was based on the report of the Committee of 24, which it approved. Submitted directly to the plenary without reference to a main committee, this resolution, among other things, affirmed once again that colonialism, racism, apartheid, foreign exploitation of economic and human resources and the suppression of liberation movements in colonial territories pose a serious threat to international peace and security; affirmed once again the legitimacy of the struggle of peoples against colonial and alien domination by all the necessary means at their disposal; strongly condemned all collaboration, particularly in the military and nuclear fields, with South Africa; called upon the colo-

nial powers to withdraw their military bases and installations from colonial territories and to refrain from establishing new ones; and requested the Committee of 24 to seek suitable means to implement the Declaration and in particular to formulate specific proposals in this regard, to be reported to the 35th General Assembly and to the Security Council, to examine the compliance of member states, to continue to pay particular attention to small territories, and to take all necessary steps to enlist worldwide support for the end of colonialism. The resolution was adopted by a recorded vote of 125 to 7 (U.S.) with 7 abstentions. (Resolution 34/94.)

In explanation of the vote, U.S. Representative William L. Dunfey stated that while the United States agreed with the basic goals of the resolution, it felt the resolution did not reflect the changing situation regarding decolonization facing the international community, noting as an example the lack of any reference to the Lancaster House decisions on Rhodesia. He said that the United States had no preconceived notion as to what status any territory should achieve except that it should correspond to the freely expressed wishes of the local population. Listing the specific reservations to the resolution, he noted, *inter alia*, that the United States cannot support the suggestion that terrorism may be a legitimate means of bringing about political change, and he said that we could not accept the Special Committee's report in its entirety, which deals in part with Puerto Rico and the Trust Territory of the Pacific Islands, both subjects beyond the scope of the Committee's authority. He said the United States did not believe that foreign economic interests in non-self-governing territories can be generally categorized as impeding the free expression of the right to self-determination, and said that the introduction of extraneous and divisive political issues into the work of the specialized agencies is in direct contravention of their essential purpose and a major hindrance to them in meeting their vital international responsibilities. He also stated that the United States is opposed to the presence of military bases in non-self-governing territories if such bases in fact interfere with the right to self-determination, but added that it is not possible to generalize with regard to specific situations and noted such language ignores the wishes of the local population.

The second resolution, "Dissemination of information on colonization," was sponsored by 42 states and adopted by a recorded vote of 137 (U.S.) to 0, with 4 abstentions. (Resolution 34/95.) Based on the report of the Committee of 24, the resolution, *inter alia*, reaffirmed the importance of the widest possible dissemination of information on the evils and dangers of colonialism and requested the Secretary General to continue to give widespread and continuous publicity to the work of the UN in the field of decolonization. The U.S. Represent-

ative, Mr. Dunfey, briefly explained that the United States supported this resolution because of its overall support for the process of self-determination and decolonization but that the United States had reservations concerning the Special Committee report on this subject, which was approved by the resolution.

Part 4

Legal Developments

Significant legal issues frequently arise in a wide variety of UN activities. However, many of these activities, such as review of the UN Charter, law of the sea, the uses of outer space, human rights, UN administration and budget, and trusteeship matters, are discussed in other parts of this report in connection with the underlying issues to which they relate. Because of their specific legal character, Part 4 deals separately with the 1979 activities of the International Court of Justice, the International Law Commission, the UN Commission on International Trade Law, the Sixth (Legal) Committee of the General Assembly, and special conferences or committees that consider legal questions such as the drafting of conventions or relations between the United States as the host country and the United Nations and missions to the United Nations.

INTERNATIONAL COURT OF JUSTICE

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. The Court's functions are to decide cases submitted to it by states and to give advisory opinions on legal questions. Cases are decided at the request of authorized intergovernmental bodies pursuant to the Statute of the Court and the UN Charter.

The Court is composed of 15 judges, no two of whom may be nationals of the same state, elected by the UN General Assembly and the Security Council, voting independently. The electors are mandated to bear in mind the qualifications of the individual candidates and the need for the Court as a whole to represent the main forms of civilization and the principal legal systems of the world. Members of the Court are elected for 9 years, one-third of the total number of judges being elected every 3 years.¹

¹ See Appendix 2, p. 354, for membership.

On February 23, 1979, the Court elected Judge Sir Humphrey Waldock and Judge Taslim O. Elias to be, respectively, President and Vice President for 3 years.

On February 26, 1979, the Court announced that the members of its chamber of summary procedure, which the Court forms annually under article 29 of its Statute, would be President Waldock and Vice President Elias and Judges Morozov, Singh, and Tarazi. Judges Oda and Sette-Camara were named substitute members of the chamber.

The Court submitted a brief report to the 34th General Assembly on its activities during the period August 1, 1978, to July 31, 1979. The report contained information on the Court's composition and on its jurisdiction, judicial work, Statute and rules, and publications. The General Assembly took note of the report at its 106th plenary meeting on December 17. (Decision 34/443.)

Cases

CONTINENTAL SHELF (TUNISIA/LIBYAN ARAB JAMAHIRIYA) (TUNISIA V. LIBYA)

The Continental Shelf (Tunisia/Libyan Arab Jamahiriya) case remained before the Court during 1979. On December 1, 1978, the Government of Tunisia notified the Registrar of the Court of a Special Agreement between Tunisia and Libya which provided for the reference to the Court of a dispute between Tunisia and Libya concerning the delimitation of the continental shelf between them. On February 19, 1979, the Government of Libya sent the Registrar copies of the same document. Accounting for an agreement between the two parties on the time limits for the two parties to file the written pleadings, the Vice President of the Court, by an order of February 20, 1979, fixed May 30, 1980, as the time limit for both parties to file Memorials.

UNITED STATES DIPLOMATIC AND CONSULAR STAFF IN TEHRAN (UNITED STATES V. IRAN)

On November 29, 1979, the United States instituted proceedings in the Court against the Islamic Republic of Iran regarding the seizure of the U.S. Embassy in Iran and the holding as hostages of members of the U.S. diplomatic and consular staff in Iran. In its application, the United States requested the Court to adjudge and declare:

- (a) That the Government of Iran, in tolerating, encouraging, and failing to prevent and punish [the storming of the Embassy and the taking of American hostages] violated its international legal obligations to the United States as provided by

—Articles 22, 24, 25, 27, 29, 31, 37 and 47 of the Vienna Convention on Diplomatic Relations,

—Articles 28, 31, 33, 34, 36 and 40 of the Vienna Convention on Consular Relations,

—Articles 4 and 7 of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, and

—Articles II(4), XIII, XVIII and XIX of the Treaty of Amity, Economic Relations, and Consular Rights between the United States and Iran, and

—Articles 2(3), 2(4) and 33 of the Charter of the United Nations;

- (b) That pursuant to the foregoing international legal obligations, the Government of Iran is under a particular obligation immediately to secure the release of all United States nationals currently being detained within the premises of the United States Embassy in Tehran and to assure that all such persons and all other United States nationals in Tehran are allowed to leave Iran safely;
- (c) That the Government of Iran shall pay to the United States, in its own right and in the exercise of its right of diplomatic protection of its nationals, reparation for the foregoing violations of Iran's international legal obligations to the United States, in a sum to be determined by the Court; and
- (d) That the Government of Iran submit to its competent authorities for the purpose of prosecution those persons responsible for the crimes committed against the premises and staff of the United States Embassy and against the premises of its Consulates.

Oral proceedings, at which the Islamic Republic of Iran chose not to appear, were held on December 10, 1979. The oral argument was presented to the Court at The Hague by U.S. Attorney General Benjamin R. Civiletti and the Legal Adviser of the Department of State, Roberts B. Owen.

In its application, at the oral hearings, and in a submission filed on December 12, 1979, the United States requested that the Court issue an interim order, pending final judgment in the case. By order dated December 15, 1979, the Court unanimously ordered, pending final decision, the following provisional measures:

- A. (i) The Government of the Islamic Republic of Iran should immediately ensure that the premises of the United States Embassy, Chancery and Consulates be restored to the possession of the United States authorities under their exclusive control, and should ensure their inviolability and effective protection

as provided for by the treaties in force between the two States, and by general international law;

(ii) The Government of the Islamic Republic of Iran should ensure the immediate release, without any exception, of all persons of United States nationality who are or have been held in the Embassy of the United States of America or in the Ministry of Foreign Affairs in Tehran, or have been held as hostages elsewhere, and afford full protection to all such persons, in accordance with the treaties in force between the two States, and with general international law;

(iii) The Government of the Islamic Republic of Iran should, as from that moment, afford to all the diplomatic and consular personnel of the United States the full protection, privileges and immunities to which they are entitled under the treaties in force between the two States, and under general international law, including immunity from any form of criminal jurisdiction and freedom and facilities to leave the territory of Iran;

- B. The Government of the United States of America and the Government of the Islamic Republic of Iran should not take any action and should ensure that no action is taken which may aggravate the tension between the two countries or render the existing dispute more difficult of solution."

By an order of the President of the Court dated December 29, 1979, January 15, 1980, was fixed as the time limit for the United States to file a Memorial, and February 18, 1980, as the time limit for the Counter-Memorial for Iran, with liberty for Iran, if it appointed an Agent for the purpose of appearing before the Court, to apply for reconsideration of the time limit.

INTERNATIONAL LAW COMMISSION

Pursuant to resolution 174 (II) adopted by the General Assembly in 1947, the International Law Commission (ILC) was established in 1948 to promote the codification and progressive development of international law. The ILC is composed of 25 experts, serving in their individual capacities, who are elected by the General Assembly for 5-year terms. On November 17, 1976, Stephen M. Schwebel of the United States was elected for a term commencing on January 1, 1977.

The Commission studies topics which it has determined are suitable for codification or those referred to it by the General Assembly. The Commission usually selects one of its members to prepare a report and, following a thorough discussion, drafts articles for a codifying instrument. In carrying out its work, the ILC sends

draft texts to governments for review, reconsiders them in the light of government comments, and ultimately adopts final texts which it forwards to the General Assembly. When the Assembly receives such draft articles, usually in the form of a proposed convention, it may convene a diplomatic conference to consider adoption of a convention, review the articles itself, note them, or remand them to the Commission for further study.

Work of the Commission

The Commission held its 31st Session in Geneva from May 14 to August 3, 1979. Pursuant to General Assembly resolution 33/139, the ILC completed the first reading of its draft articles on succession of states in respect of matters other than treaties (apart from articles on archives). The ILC also discussed draft articles on the following subjects: state responsibility—implication of a state in the internationally wrongful act of another state and circumstances precluding wrongfulness in state conduct; the question of treaties concluded between states and international organizations or between two or more international organizations—the invalidity, termination, and suspension of the operation of treaties; the law of nonnavigational uses of international watercourses; status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier; and jurisdictional immunities of states.

SUCCESSION OF STATES IN RESPECT OF MATTERS OTHER THAN TREATIES

A first reading was completed on a total of 23 draft articles dealing with the disposition of state property and the obligations concerning state debt in situations involving predecessor and successor states. Among the specific issues considered by the Commission in this area, were the rights of successor states in general; passing of property without compensation; the effects of state succession on third states; consequences of independence or uniting of states or the dissolution of a state; and the definition of state debt. Rights of successor states regarding state archives were discussed preliminarily.

THE LAW OF THE NONNAVIGATIONAL USES OF INTERNATIONAL WATERCOURSES

On June 18, the Special Rapporteur on this topic, Mr. Schwebel of the United States, presented his first report. It was divided into four parts: (1) the nature of the subject, (2) the history and scope of the

subject, (3) the utility of "user agreements" as a means of permitting states directly concerned with a particular international watercourse the possibility of undertaking detailed obligations with respect to it while remaining bound by a general framework of rules of universal application, and (4) the regulation of data collection and exchange. Mr. Schwebel suggested preliminary draft articles on the scope of the topic, the framework agreement and user agreements and their relationship, and data collection and exchange, in order to illustrate his suggested approach to codification of the topic.

Following discussion of his report by the Commission, Mr. Schwebel indicated that future reports might initially concentrate on general principles applicable to the uses of international watercourses and eventually on categories of uses (domestic, irrigation, power, etc.), specialized problems (flood control, erosion, sedimentation, drought, and saltwater intrusion), institutional arrangements for cooperative use of international watercourses, and dispute settlement. When the debate concluded, the Commission requested (through the Secretary General) all states to submit completed questionnaires on these subjects as soon as possible and authorized the Special Rapporteur to seek professional and technical advice with the assistance of the Secretariat.

General Assembly Action

The Sixth Committee considered the Report of the International Law Commission at 17 meetings, held from November 12 to 26 and on December 4 and 5. In a November 20 statement, the U.S. Representative in the Sixth Committee, Robert B. Rosenstock, commented on several aspects of the ILC report. With regard to state succession, he welcomed the improvements in several draft articles and particularly supported the formulation of article 16b, which includes "any other financial obligation chargeable to a state" in the definition of state debt (a definition which includes debt of a state to private parties). In the area of state responsibility, Mr. Rosenstock endorsed the draft articles that deal with circumstances precluding wrongfulness, including consent, countermeasures, *force majeure*, and distress. On international watercourses, he pointed out that significant law in this area is badly needed and that any such law must be a law of interdependence, since states are not and cannot be free to treat waters flowing through their territory as their exclusive property without regard to the interests of neighboring countries. He declared further that any serious approach to this topic must be based on the central importance of the river basin. Finally, Mr. Rosenstock expressed grave doubts as to the usefulness of the Com-

mission's work on the status of the diplomatic courier and bag, since existing law appeared to be adequate and since no significant problems respecting the courier and bag had risen in recent years.

On December 4, in the Sixth Committee, Argentina introduced a draft resolution that was ultimately sponsored by 41 states. The draft resolution recommended, *inter alia*, that the ILC should (1) continue its work on succession of states in respect of matters other than treaties, with the aim of completing the work on state archives at its 32nd session and of completing a second reading of all draft articles at its 33rd session; (2) continue its work on state responsibility with the aim of completing a first reading of the draft articles on internationally wrongful acts at its 32nd session; (3) proceed to prepare draft articles on treaties concluded between states and international organizations or between international organizations with the aim of completing the first reading of these articles at its 32nd session; and (4) continue its work on the law of nonnavigational uses of international watercourses, jurisdictional immunities of states and their property, and the status of the diplomatic courier and bag. The resolution also requested the ILC to continue its work on the remaining topics in its current program and called the attention of member states concerned to the need for members of the ILC, particularly those who are special rapporteurs, to be provided with sufficient time for fulfillment of their responsibilities, especially during sessions of the Commission.

On December 5, the Sixth Committee approved the draft resolution by consensus, as did the General Assembly on December 17, when the draft was adopted as resolution 34/141.

INTERNATIONAL TRADE LAW

The United Nations Commission on International Trade Law (UNCITRAL), established by the General Assembly in 1966, continued to be a productive, highly professional body which contributes to the harmonization and unification of the law of international trade. The Commission is composed of 36 states elected by the Assembly for a term of 6 years.²

² Members in 1979 were Argentina, Australia, Austria, Barbados, Belgium, Brazil, Bulgaria, Burundi, Chile, Colombia, Cyprus, Czechoslovakia, Egypt, Finland, France, Gabon, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Hungary, India, Indonesia, Japan, Kenya, Mexico, Nigeria, Philippines, Sierra Leone, Singapore, Syria, Tanzania, U.S.S.R., United Kingdom, United States, and Zaire.

Work of the Commission's 12th Session

UNCITRAL's 12th session, which took place in Vienna, June 18-29, 1979, considered the following topics: international trade contracts, international payments, international arbitration and conciliation, and possible subjects for inclusion in its future work program related to the new international economic order. The U.S. Representative was E. Allan Farnsworth, Professor of Law at Columbia University.

Since the work of UNCITRAL is carried out largely by working groups of varying size after preliminary studies by the Secretariat, the work of the Commission's sessions is mainly devoted to considering reports from the Secretariat and from working groups. The major items considered are described below.

The Commission considered three studies by the Secretariat in connection with international trade contracts: international barter or exchange, liquidated damages and penalty clauses, and clauses protecting parties against the effects of currency fluctuations. It requested the Working Group on International Contract Practices to consider the feasibility of formulating uniform rules on liquidated damages and penalty clauses and requested the Secretariat to study further the other two subjects.

The Working Group on International Negotiable Instruments reported on its continuing work on the revised text of the draft uniform law of international bills of exchange and promissory notes. The Commission, in accordance with its standing policy not to comment on work in progress, took note of the report and authorized the Working Group to include international checks in its work, if feasible and desirable.

The Commission also considered Secretariat reports on standby letters of credit and on security interests in goods; further Secretariat study was requested on both topics.

The Commission also discussed in detail a preliminary draft of UNCITRAL Conciliation Rules prepared by the Secretariat; it requested that a revised draft reflecting these discussions be transmitted to governments and others for comment. Secretariat studies were also requested on guidelines for administering arbitration under UNCITRAL arbitration rules and on a possible model national law on arbitral procedure.

The Commission decided on the membership of the Working Group on the New International Economic Order, which had been established in 1978.

General Assembly Action

The Sixth Committee of the 34th General Assembly considered the report of UNCITRAL at eight meetings from October 22 to November 1 and on December 3. The speakers stressed the importance of UNCITRAL's work and indicated the topics which they thought particularly useful.

The move of the UNCITRAL Secretariat to Vienna, which had by this time taken place, was also mentioned. Several members, including the U.S. Representative, Mr. Rosenstock, again stressed the importance of providing adequate legal research materials in Vienna. With reference to the question of the new international economic order, Mr. Rosenstock noted U.S. misgivings about the introduction of the topic into UNCITRAL's work but expressed his confidence that UNCITRAL would be able to strip it of at least some of its unnecessary controversiality. Many other members also stated that UNCITRAL should preserve the legal and technical character of its work in considering subjects under this topic.

The General Assembly, on December 17, adopted by consensus two resolutions recommended to it by the Sixth Committee. One noted with approval the work of the Commission; recommended that it continue its work along existing lines; noted with satisfaction the move to Vienna; and underscored its concern that adequate research facilities be provided. (Resolution 34/143.) The other resolution reaffirmed UNCITRAL's mandate to coordinate activities in the field of international trade law and suggested steps to improve this coordination. (Resolution 34/142.)

HUMAN RIGHTS IN ARMED CONFLICTS

The 34th General Assembly, pursuant to a resolution of the 32nd session, decided to include in its agenda and assign to the Sixth Committee the item entitled "State of Signatures and Ratifications of the Protocols Additional to the Geneva Conventions of 1949 concerning the Respect for Human Rights in Armed Conflicts." The Sixth Committee considered the item at its 15th meeting on October 11 and at its 40th meeting on November 14.

The United States is a party to the four conventions adopted at Geneva on August 12, 1949, for the protection of war victims. These four instruments entered into force for the United States on February 2, 1956, and accord significant protections during armed

conflicts to prisoners of war, civilians, the wounded and sick of armed forces in the field, and to the wounded, sick, and shipwrecked members of the armed forces at sea. In order to address aspects of the law of armed conflict not adequately covered or not contemplated by the drafters of the 1949 conventions, a Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts was held at Geneva from March 17 to June 10, 1977. That conference considered and adopted two draft protocols to the 1949 conventions, one dealing with international armed conflicts (Protocol I) and the other covering noninternational armed conflicts (Protocol II). The Final Act of the Diplomatic Conference was signed for the United States by Ambassador George Aldrich.

During the negotiation of the protocols, the United States was an active participant in the drafting process. Since adoption of the protocols by the Diplomatic Conference, the United States has consistently expressed its view that the protocols represent a significant and much-needed contribution to the codification and development of international humanitarian law. In particular, Protocol I addresses a number of subjects which previously had not been adequately included in either the customary or conventional law of armed conflict—comprehensive protection for medical aircraft (articles 24–31), mercenaries (article 47), safeguards in development of new weapons (article 36), precautions to be taken in planning attacks (articles 57–58), family rights (articles 32–34, 74, 76–78), protection of the environment and objects indispensable to the survival of the civilian population (articles 54–55), restrictions on attacking works and installations containing dangerous forces such as nuclear power plants and dams (article 56), and protection of civil defense activities (articles 61–67). In addition, article 87 of the Protocol imposes duties on individual military commanders to ensure that their subordinates are aware of the obligations of the Geneva Conventions and Protocols and to prevent or report to competent authorities breaches of those obligations. Finally, article 86 codifies for the first time the principle of command responsibility:

The fact that a breach of the Conventions or of this Protocol was committed by a subordinate does not absolve his superiors from penal disciplinary responsibility, as the case may be, if they knew, or had information which should have enabled them to conclude in the circumstances at the time, that he was committing or was going to commit such a breach and if they did not take all feasible measures within their power to prevent or repress the breach.

With respect to Protocol II, the United States has enthusiastically supported the realization that the rights of those affected by noninternational conflicts must be protected. Regrettably, article 1 of Protocol II contains several qualifications which narrow its scope and may permit nations to assert that the Protocol is not applicable

to their internal armed conflicts. In the view of the United States, nevertheless, Protocol II can provide a significant minimum level of protection to victims of civil wars, if its terms are applied in good faith by states parties.

In its resolution 32/44, the General Assembly, *inter alia*, welcomed the successful conclusion of the Diplomatic Conference; noted the recommendation of the Diplomatic Conference that a special conference be called to address the issue of prohibition or restriction for humanitarian reasons of the use of specific conventional weapons; urged states to consider signing and ratifying the two additional Protocols; appealed to states to become parties to the Geneva Conventions; and requested the Secretary General to submit to the 34th session of the General Assembly a report concerning the state of signatures and ratifications of the Protocols.

Pursuant to resolution 32/44, Under Secretary General and Legal Counsel Suy reported to the Sixth Committee on October 11 that the Protocols had entered into force on December 7, 1978, and that 58 states had signed both Protocols; 4 states had signed Protocol I only; 10 states had ratified or acceded to both Protocols; and 1 state had ratified only Protocol I. The United States had signed both Protocols but had not yet ratified either one. Citing the Secretary General's report on the rationalization of the procedures and organization of the General Assembly, Mr. Suy suggested that this agenda item not be carried forward to future sessions of the General Assembly. Instead, the Secretariat and the Swiss Government would cooperate in seeking ways to keep states informed of the state of signatures and ratifications of and accessions to the Protocols.

In reply, the Representatives of Sweden and Austria noted the distressingly small number of nations that had ratified the Protocols, which represented such important progress in the field of international humanitarian law. Accordingly, both maintained that the General Assembly should keep the matter under consideration and that a new report should be submitted by the Secretary General at the 36th session.

Mr. Rosenstock, the U.S. Representative in the Sixth Committee, supported the proposal by the Legal Counsel. Since any delegation could request that the item be included on a future agenda, he asserted that any draft resolution on the item should merely indicate its importance.

Sweden introduced a draft resolution sponsored by 16 states which, *inter alia*, (1) noted in its preamble that only a limited number of states had ratified or acceded to the Protocols; (2) noted in its preamble the importance of the UN Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons which May Be Deemed to be Excessively Injurious or to have Indiscriminate Ef-

fects; (3) reiterated the call in resolution 32/44 for all states to consider without delay the matter of ratifying or acceding to the Protocols; and (4) requested the Secretary General to inform the General Assembly annually of the state of ratifications of and accessions to the Protocols, with a view to enabling the General Assembly to take up the item at a later time, if it deems it appropriate.

After consensus approval by the Sixth Committee, the draft resolution was adopted by consensus on November 23 at the 76th plenary meeting of the 34th session. (Resolution 34/51.)

MEASURES TO PREVENT INTERNATIONAL TERRORISM

The General Assembly, at its 34th session, had before it the item entitled "Measures to prevent international terrorism which endangers or takes innocent lives or jeopardizes fundamental freedoms, and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance, and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes: report of the *Ad Hoc* Committee on International Terrorism." The Sixth Committee considered the item at eight meetings, held between September 26 and October 4 and on December 3 and 4.

Tanzania introduced a draft resolution under this item and was joined by 15 other sponsors. With only minor drafting changes, this draft resolution was approved on December 4 in the Sixth Committee by a vote of 96 to 1 (Israel), with 20 abstentions (U.S.). On December 17, the General Assembly adopted the resolution by a vote of 118 to 0, with 22 abstentions (U.S.). (Resolution 34/145.)

The resolution, *inter alia*, unequivocally condemned all acts of international terrorism that endanger or take human lives or jeopardize fundamental freedoms and condemned the continuation of repressive and terrorist acts by colonial, racist, and alien regimes in denying peoples their legitimate right to self-determination and independence and other human rights and fundamental freedoms. The resolution also urged all states to contribute to the progressive elimination of the causes underlying terrorism and called upon all states to fulfill their obligations under international law to refrain from organizing, instigating, assisting, or participating in acts of civil strife or terrorist acts in another state or acquiescing in organized activities within its territory directed toward the commission of such acts. In addition, the General Assembly invited all states which had not done so to become parties to the international conventions relating to various aspects of international terrorism, namely the Tokyo (crimes

aboard aircraft), the Hague (aircraft hijacking), Montreal (aircraft sabotage), and New York (crimes against internationally protected persons, including diplomats) Conventions.³

Furthermore, the resolution invited all states to take appropriate measures at the national level to eliminate international terrorism; urged all states to cooperate to prevent and combat terrorism through the exchange of information and conclusion of treaties that provide for prosecution or extradition; and invited states to submit their views and concrete proposals on the matter. Moreover, the General Assembly recognized that, in order to contribute to the elimination of the causes and the problem of international terrorism, both it and the Security Council should pay special attention to all situations that may give rise to terrorism and endanger peace and security, including, *inter alia*, colonialism, racism, and alien occupation, with a view to applying the relevant provisions of the Charter where feasible and necessary, including Chapter VII measures. Finally, after taking note of the study on the underlying causes of international terrorism contained in the report of the *Ad Hoc* Committee, the General Assembly requested the Secretary General to prepare a compilation, on the basis of material provided by member states, of relevant provisions of national legislation dealing with international terrorism; to follow up implementation of the recommendations in the *Ad Hoc* Committee report, and to submit a report to the 36th session of the General Assembly.

On December 4, in the Sixth Committee, Mr. Rosenstock explained why the United States abstained in the vote on the resolution. As a general comment, he expressed the view that the draft resolution raised questions regarding the efficacy of the UN's working methods, since certain states which joined consensus on the balanced list of recommendations issued by the *Ad Hoc* Committee were sponsors of the draft resolution, which did not adhere to the balance struck. He considered this a breach of good faith by the states in question, specifically Algeria, Guinea, India, Tanzania, Venezuela, Yugoslavia, Zaire, and Zambia. If states did not honor agreements reached in working groups or drafting committees, he pointed out, the main committees or the General Assembly could not be expected to achieve consensus.

With regard to the language of the draft resolution, the U.S. Representative welcomed many of its provisions, notably paragraph 3, which unequivocally condemned all acts of international terrorism.

³ Convention on Offenses and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 Sept. 1963; Convention for the Suppression of Unlawful Seizure of Aircraft signed at The Hague on 16 Dec. 1970; Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 Sept. 1971; and Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted at New York on 14 Dec. 1973.

However, he expressed doubts as to the relevance of the fifth preambular paragraph, which reads as follows:

Reaffirming the inalienable right to self-determination and independence of all peoples under colonial and racist regimes and other forms of alien domination, and upholding the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and relevant resolutions of the organs of the United Nations.

In the U.S. view, the right of self-determination should be advocated for all peoples, not only those deprived of their rights for particular reasons.

The U.S. Representative also voiced difficulties with operative paragraph 4 of the draft resolution, which condemned the continuation of repressive and terrorist acts by colonial, racist, and alien regimes in denying peoples their legitimate rights to self-determination, independence, and other human rights and fundamental freedoms. He declared that this paragraph raised issues beyond the competence of the *Ad Hoc* Committee and was not covered by the agenda item. In addition, he objected to the singling out of colonial, racist, and alien regimes while ignoring other regimes throughout the world whose repressive acts cause at least as much suffering. In short, he maintained that the right to self-determination was certainly important, but it was hardly the only human right for which people had struggled. In conclusion, he stated that the United States would be forced to abstain in the vote on the draft resolution because of its selective approach to the problem of international terrorism and the changes by the Sixth Committee to the recommendations of the *Ad Hoc* Committee.

INTERNATIONAL CONVENTION AGAINST THE TAKING OF HOSTAGES

At the 31st session of the General Assembly in 1976, the item entitled "Drafting of an international convention against the taking of hostages" was included in the agenda at the request of the Federal Republic of Germany, with strong support from the United States. At the 31st session, the General Assembly followed the recommendation of the Sixth Committee in adopting resolution 31/103 by consensus on December 15, 1976. That resolution established a 35-member *ad hoc* committee of states to draft a convention. At the first two sessions of the *ad hoc* committee, a draft submitted by the Federal Republic of Germany was considered, which followed the approach of The Hague (aircraft hijacking), Montreal (aircraft sabotage), and New York (crimes against internationally protected persons, in-

cluding diplomats) Conventions.⁴ It attempted to establish the offenses covered as crimes requiring prosecution or extradition of offenders in every case without exception, wherever the offenders are found and wherever the offenses occur.

The first session of the *ad hoc* committee met in 1977 but failed to produce a draft convention, largely because of disagreement concerning the scope of the convention. The committee recommended that it reconvene in 1978 to continue its work, and the General Assembly so decided in its resolution 32/148 of December 16, 1977. In 1978, the second session of the committee met in Geneva and formed two working groups. One working group resolved nearly all technical and legal questions, but no recommended draft convention was forthcoming because the second working group was unable to agree on the issue of whether the convention would apply to members of national liberation movements. Several states argued that national liberation movements should be exempt from the terms of the convention, but the United States and other Western nations steadfastly maintained that a hostages convention must condemn all acts of hostage-taking and could contain no exceptions to the prohibition against hostage-taking based on the motives of the offender or any other reason. The *ad hoc* committee again recommended that it be reconvened, and the General Assembly followed this recommendation in resolution 33/19 on November 29, 1978.

During the third session of the committee in February 1979, a breakthrough on the national liberation movement issue occurred that permitted the committee to recommend a draft convention to the 34th session of the General Assembly. The compromise formulation reached by the committee is set forth in article 12 of the final version of the convention and contains no exceptions to the prosecute or extradite rule. In essence, article 12 ensures that all offenders under the convention will be subject to prosecution or extradition under either the Hostages Convention itself or the Geneva Conventions of 1949 for the protection of war victims or the Additional Protocols to the Geneva Conventions.

At the 34th session of the General Assembly, the Sixth Committee, on September 26, agreed that the draft convention prepared by the *ad hoc* committee would be referred to a working group for an article-by-article analysis. The working group was to be composed of the states that were members of the *ad hoc* committee, as well as any other interested member states. The Sixth Committee referred the draft convention to the working group after initially considering it at meetings held on September 26 and from October 8 to 11. On November 27, the Sixth Committee resumed its consideration of the convention on the basis of the working group's report.

⁴ See footnote 3, p. 301.

In the working group of the Sixth Committee during the 34th session, as at the other stages in the development of the Hostages Convention, the chief U.S. negotiator was Mr. Rosenstock. The primary tasks of the working group were to achieve consensus on the language of the preamble, article 9 (extradition criteria), and article 15 (asylum).

In the preamble, certain nations were able to have included a paragraph reaffirming "the principle of equal rights and self-determination of peoples." As a counterbalance to this paragraph, the United States and other Western countries sought and obtained language in preambular paragraph 4 which dispelled any notion that the Hostages Convention permitted exceptions. Specifically, preambular paragraph 4 declared "that the taking of hostages is an offense of grave concern to the international community and that, in accordance with the provisions of this Convention, any person committing an act of hostage-taking shall either be prosecuted or extradited."

In its final version, article 9 provides that no state party shall extradite an alleged offender if that state has substantial grounds for believing that the extradition request has been made for the purpose of persecution (based on race, religion, nationality, ethnic origin, or political opinion) or the appropriate authorities of the state "entitled to exercise rights of protection" over the individual cannot communicate with him, and his position may be prejudiced thereby. As a result of the qualifying phrases "pursuant to this Convention" in paragraph 1 and "with respect to the offenses as defined in this Convention" in paragraph 2, article 9 will not affect normal U.S. extradition practice, which is carried out pursuant to bilateral extradition treaties.

Article 15 is identical to article 12 of the New York Convention and declares that the Hostages Convention shall not affect treaties on asylum in force as of the date of adoption of the Convention, as between states which are parties to those treaties. The United States is not a party to any such treaty and is thus unaffected by this provision.

Statements concerning the report of the working group were made in the Sixth Committee at meetings held between November 27 and December 7. Before adopting the Convention and its accompanying resolution by consensus on December 7, the Sixth Committee conducted a recorded vote on article 9, which was adopted by a vote of 103 (U.S.) to 10, with 4 abstentions, with opposition coming from the Soviet Union and Eastern European countries.

On December 17, a resolution, which contained the full Convention as an annex, was adopted by consensus in a plenary meeting of the General Assembly. Prior to the consensus adoption, a recorded vote was again held on article 9, with a final tally of 125 (U.S.) to 10, with 3 abstentions. (Resolution 34/146.)

Speaking for the United States on December 17, Ambassador Petree characterized the adoption of the International Convention Against the Taking of Hostages as a major achievement of the 34th session. He noted that the object and purpose of the Convention are to commit the international community to cooperate in preventing hostage-taking and, if an act of hostage-taking occurs, to apply the principle of prosecution or extradition to all offenders. Ambassador Petree emphasized the importance, from the U.S. standpoint, of the provision that states parties in whose territory an offender is found shall be "obliged, without exception whatsoever" to apply the Convention's basic requirement to prosecute or extradite. He further pointed out that it is cause for satisfaction and hope whenever the members of the international community cooperate to deal effectively with a common problem.

He also expressed gratitude on behalf of the United States for the leadership of the Federal Republic of Germany throughout the drafting process. Finally, in a reference to the plight of the American hostages in Iran, Ambassador Petree stated that no one could have foreseen the painful timeliness of the international community uniting to adopt the Convention and proclaiming "that the taking of hostages is an offense of grave concern." He concluded by voicing the hope that this proclamation of world opinion will be heard and acted upon promptly.

NON-USE OF FORCE IN INTERNATIONAL RELATIONS

Special Committee

The Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations⁵ held its second session in New York from April 17 to May 11, 1979. The Committee devoted nine meetings to a general debate in which 27 states, including the United States, spoke. Two main views emerged during the debate. One supported the Soviet proposal to draft a world treaty on the non-use of force. The other opposed the idea of a treaty and suggested that the Committee first study why states resort to force and that the various peaceful settlement mechanisms be strengthened.

On April 19, the U.S. Representative, Mr. Rosenstock, emphasized that the Committee's mandate left the Committee free to follow

⁵ The 35 members in 1979 were Belgium, Benin, Bulgaria, Cuba, Cyprus, Ecuador, Egypt, Finland, France, Federal Republic of Germany, Greece, Guinea, Hungary, India, Iraq, Italy, Japan, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Panama, Peru, Poland, Romania, Senegal, Somalia, Spain, Togo, Turkey, Uganda, U.S.S.R., United Kingdom, and United States.

many courses of action besides drafting a treaty. He suggested that making greater use of the Security Council, and strengthening the peacekeeping capabilities of the United Nations and of the existing mechanisms for the peaceful settlement of disputes would be a more useful means of enhancing the effectiveness of the principle of non-use of force. He concurred with the Chairman's statement that heinous violations of human rights had served as a cause or pretext for recent uses of force and that the strengthening of the human rights capacity of the United Nations merited consideration.

On April 17 the Committee decided to reestablish an open-ended working group in which the members could consider specific proposals. The working group held eight meetings between April 23 and May 4, 1979. On May 11 the Committee considered and approved the report of the working group and also adopted its own report. The Committee's report to the General Assembly did not contain any recommendations or conclusions.

General Assembly

The Sixth Committee considered the report of the Special Committee at its 16th to 25th meetings between October 12 and 23.

On October 16 the U.S. Representative, Mr. Rosenstock, said "that to pretend that meaningful work on the drafting of a treaty had begun when a substantial body of opinion was opposed to the very idea of a treaty was self-delusion at best and an attempt to mislead at worst." He summarized the reasons the United States opposed a treaty, including the belief that such a treaty would weaken the obligations of members under the Charter. He stated that there was no need to elaborate a treaty when "there are other possibilities available to us which might contribute more immediately and more significantly to enhancing the effectiveness of the prohibition of the threat or use of force."

On October 22 the Soviet Union introduced a draft resolution which was ultimately sponsored by 28 states. This draft differed from the resolution adopted at the 33rd General Assembly in that it included, in the preamble, the following final paragraph "Expressing the hope that the drafting of a world treaty on the non-use of force in international relations will be completed as soon as possible." At the same meeting the Committee approved the draft resolution by a rollcall vote of 91 to 14 (U.S.), with 11 abstentions. In explaining the U.S. vote, Mr. Rosenstock expressed regret at the retrograde nature of the resolution. He pointed out that the United States had switched from a negative vote to an abstention at the 33rd General Assembly in an effort to improve the atmosphere surrounding the item so that

there might be some chance of progress. He noted that the Soviet response to this change had been intransigence in the Special Committee and the addition of a new preambular paragraph by which the U.S.S.R. was attempting to change the interpretation of the Special Committee's mandate.

On November 9 the General Assembly in plenary session adopted by a rollcall vote of 71 to 14 (U.S.), with 13 abstentions, the resolution recommended to it by the Sixth Committee. (Resolution 34/13.)

HOST COUNTRY RELATIONS

The 15-member Committee on Relations with the Host Country⁶ was established by the General Assembly in 1971 to replace the Informal Joint Committee on Host Country Relations. The Committee's mandate includes, *inter alia*, consideration of questions relating to the security of missions to the United Nations and the safety of their personnel, as well as issues arising in connection with the implementation of the Headquarters Agreement.⁷

The Committee held its first meeting of 1979 on July 5 in response to an urgent request by the representative of Iraq to discuss "the gasoline shortage affecting the diplomatic community attached to the United Nations." At that meeting, the U.S. Representative, Herbert K. Reis, took issue with the Iraqi characterization of the problem, pointing out that it was one of supply rather than shortage and affected the local community and the entire country and not just the diplomatic corps.

The Representative of Iraq and certain other members of the Committee expressed their concern over the difficulties that the situation was causing missions, particularly in getting diplomatic pouches to the airport, and suggested as one solution that nearby service stations be made available to service diplomatic cars and meet mission needs. The U.S. Representative informed the Committee of efforts being taken by the New York authorities to ease the situation for missions, such as exemption from the odd-even day regulations, and that consideration was also being given to the possible utilization of the pump in the UN garage, though this would require the United Nations to seek a higher gasoline allocation from its supplier. He pointed out, however, that diplomats in other countries faced inconveniences, such as water and energy shortages, and that the

⁶ Members in 1979 were Bulgaria, Canada, China, Costa Rica, Cyprus, France, Honduras, Iraq, Ivory Coast, Mali, Senegal, Spain, U.S.S.R., United Kingdom, and United States.

⁷ Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations (Resolution 169 (II)), October 31, 1947.

United Nations was fortunate to be in a city with excellent public transportation.

The Committee subsequently considered this item at three meetings on July 9, 11, and 26. The Committee heard further statements by members on the situation as well as a report from a representative of the Secretary General on the difficulties connected with using the pump in the UN garage for mission vehicles. The Representative of Iraq noted at the 78th meeting on July 11 that the situation was improving.

On July 26, the Committee adopted by consensus a resolution which, *inter alia*, after recognizing the local, national, and international nature of the energy supply situation and noting the attention given to the situation by the host country authorities and the UN Secretariat: (1) requested the host country and the Secretariat to continue considering measures for ensuring the essential functions of missions in case of a future disruption in the gasoline supply; (2) requested the Secretariat to study the situation in other UN cities to determine what measures had been employed there; and (3) expressed the hope that members of the diplomatic corps would endeavor to conserve energy through adjustments in their consumption and transportation patterns.

At its 80th meeting, November 7, the committee took up the matter of compelled departures of diplomats from the United States. In 1978 in connection with the compelled departure of Ambassador Dinh Ba Thi of Vietnam, the General Assembly requested the Secretary General to enter into discussions with the host country concerning procedures for consultations between the host country and the member states or the Secretary General pursuant to Section 13 (b) of the Headquarters Agreement.⁸ In those consultations, the United States reiterated its position that the right to compel the departure of a member of a mission was derived from its sovereignty and was preserved by Section 13 (b)(1) of the Agreement which provided that a request for the departure of a diplomat could be made only upon the authorization of the Secretary of State after consultation with the member state concerned. The United States had, in those rare cases where it felt compelled to request the departure of a member of a diplomatic mission accredited to the United Nations, complied with this obligation and would continue to do so in the future. It had been and would continue to be the consistent practice of the United States also to notify the Secretary General of any such request and keep him informed of developments subsequent thereto. The United States also pointed out that "after consultation with" did not mean "with the concurrence of."

⁸ Resolution 33/95.

Also at its 80th meeting, the Committee had before it the report of the Secretary General on these consultations and heard the observations of the UN Legal Counsel who, *inter alia*, found no discrepancy between the view of the United States and that of the Secretariat as to the meaning of "consultation" and recalled that in the case of a representative of a member state, the Headquarters Agreement does not require prior consultations with the Secretary General, although in practice a host government informs an international organization of the measures contemplated and the reasons for such action.

At the 81st meeting on November 12, the Committee adopted its report and made recommendations with respect to the security of missions and the apprehension of offenders, noting with satisfaction some improvement in the security situation compared with the previous year, as well as recommendations on other matters, such as privileges and immunities, parking, and the unpaid bills of diplomats. It also expressed its appreciation to the New York City Commission for the United Nations and the Consular Corps for its efforts to provide hospitality and promote mutual understanding between the diplomatic community and the people of New York.

The Sixth Committee of the General Assembly considered the report of the Committee on Host Country Relations at three meetings between December 4 and 6. During the debate, Cuba complained about the manner in which host country obligations had been carried out and about bomb attacks against its mission, the most recent of which had occurred on October 27, 1979, and the fact that the perpetrators of these attacks had not been apprehended or prosecuted.

At the close of debate, the U.S. Representative, Mr. Rosenstock, stated that the United States was honored to be host country to the United Nations, and the presence of representatives of the member states was a source of enrichment to the community. Despite the criticism of some members, the United States felt the atmosphere in New York, on balance, was both conducive to the efficient functioning of the United Nations and a source of cultural and intellectual stimulation. He emphasized that threats to the security of diplomatic missions and their personnel could never be tolerated, for no grievance could justify an attack on the means by which states communicate; worse outrages elsewhere, while possibly indicating a need for sense of proportion, could not justify toleration of deviation from this rule; and the United States would continue to do its utmost to ensure the security of all members of the diplomatic community and would persevere in seeking to apprehend those who committed terrorist acts. He also recalled that members of the UN community had an obligation to abide by the laws and regulations of the host country, and that the United States was always ready to listen to and

endeavor to solve any problems that might arise.

On December 6, the Sixth Committee approved by consensus a draft resolution, introduced by the U.S.S.R. and sponsored by seven states, which (1) accepted the recommendations of the Committee on Relations with the Host Country; (2) decided to continue the work of that Committee; and (3) decided to include the item of the committee's report in the agenda of the 35th session of the General Assembly.

The General Assembly considered the draft resolution on December 17. Between Sixth Committee approval of the draft resolution and consideration by the plenary, the Soviet and Cuban missions suffered bomb attacks, credit for which was claimed by the group known as Omega-7. During plenary consideration of the resolution, the Bulgarian representative introduced an amendment (1) strongly condemning acts of violence against missions and (2) urging the host country to take effective measures to ensure adequate security for all missions and their personnel. The General Assembly adopted the draft resolution, as amended, without a vote. (Resolution 34/148.)

REGISTRATION AND PUBLICATION OF TREATIES

In 1978, the General Assembly approved a number of reform measures aimed at overcoming the delays and costs incurred in publishing treaties and agreements registered with the United Nations.

In 1979, the Assembly continued its consideration of this item, reviewing a report by the Secretary General on implementing these reform measures and the progress being made in controlling costs and eliminating delays.

Article 102 of the UN Charter—in keeping with the tradition of opposition to secret treaties articulated by Woodrow Wilson and a similar article in the Covenant of the League of Nations—contains a requirement that all treaties and other international agreements are to be registered with the United Nations. Article 102 also prohibits any party to an unregistered agreement from invoking it in UN bodies. In 1946, 1949, and 1950, the General Assembly promulgated regulations governing registration questions and requiring publication in the *UN Treaty Series* of all registered agreements. Due to the great increase in the number of independent nations (51 UN members at the San Francisco Conference in 1945; 152 in 1979) and the vastly increased number of subjects on which nations now see fit to enter into international agreements, the number of treaties and agreements registered with the United Nations each year has expanded enormously since publication of the *Treaty Series* was begun in 1946.

In 1977, the General Assembly considered a 10-year plan to overcome the more than 200-volume backlog that had developed in publishing the *UN Treaty Series*.

However, it was subsequently concluded that the costs of this plan would have exceeded \$8 million. In 1978, in cooperation with the UN Legal Counsel, a working group of the Sixth Committee, under the chairmanship of Tunisia and with the United States playing a leading role, produced a new plan for overcoming the backlog within existing financial and personnel resources through various reform, modernization, and economy measures. One important element of this plan was giving the UN Secretariat the discretion not to publish certain categories of agreements. At the same time, the Secretariat would ensure the comprehensive character of its monthly statement of treaties registered with it and provide copies of the text of any treaty not published in the *Treaty Series*. On the recommendation of the Sixth Committee, the 33rd General Assembly approved these reform measures without a vote, resolution 33/141.

At the 34th General Assembly, the Secretary General presented a report on implementing these reform measures. The report indicated that: (1) in 1979 there had been an appreciable improvement in the registration and publication of international agreements, with the delay in registration clearly diminished and the publication backlog reduced to 244 volumes; (2) implementation of the new procedure had resulted in savings which were being used throughout the year to supplement existing resources, particularly in the field of registration; (3) subject to budget approvals for the biennium 1980-81, the delay in administrative registration operations was expected to be almost eliminated by December 31, 1980, and the publication backlog stabilized at approximately 260 volumes; (4) the Secretariat was submitting proposals for handling this backlog in the context of the biennial program budget; and (5) the Secretariat was consulting with governments and international organizations, through a questionnaire, as to the best means of enabling the international community to put the UN Treaty Information System to full use.

The Sixth Committee, on October 15, 1979, established an informal working group to consider the Secretary General's report. The working group—in which the United States participated—held one meeting under the chairmanship of Tunisia and recommended to the Sixth Committee a draft resolution that, *inter alia*, (1) expressed appreciation to the Secretary General for his report and took note of the information contained therein; (2) invited him to continue his efforts to eliminate at the earliest opportunity the backlog in registration and publication; (3) noted that the Secretariat had sent questionnaires to governments and international organizations and expressed the hope that the Secretariat would receive sufficient information to

prepare a report on future coordination and modifications in the system; and (5) decided to include the item in the agenda of the 35th General Assembly session.

In the Sixth Committee, on November 26, the chairman of the working group introduced its report and recommendations, and the Committee approved the draft resolution by consensus. The General Assembly adopted the draft resolution also by consensus on December 17. (Resolution 34/149.)

ASSISTANCE IN INTERNATIONAL LAW

The "UN Program of Assistance in the Teaching, Study, Dissemination, and Wider Appreciation of International Law" was established by the General Assembly in 1965. The two-fold program was to consist of (1) steps to encourage and coordinate existing international law programs; and (2) forms of direct assistance and exchange, such as seminars, training and refresher courses, fellowships, advisory services of experts, legal publications and libraries, and translations of major legal works. The Assembly also established an advisory committee to assist the Secretary General in developing and carrying out the Program. Both UNESCO and UNITAR were specifically invited to participate in the Program, and both have done so since its inception.

By its resolution 3502 (XXX), the General Assembly decided to appoint 13 states, including the United States, to serve on the advisory committee on the UN Program of Assistance in the Teaching, Study and Dissemination, and Wider Appreciation of International Law and to review the program of work proposed by the Secretary General.

The advisory committee held its 13th and 14th sessions on January 19, 1979, and November 8, 1979, respectively. At these sessions, the committee considered the report of the Secretary General on the item and heard oral statements by representatives of UNITAR, UNESCO, and a member of the International Trade Law Branch of the Office of Legal Affairs. At its 14th session the committee also considered written responses from UNITAR to questions raised at the 13th session. The committee generally expressed support of the measures that had been taken to implement the program during 1978 and 1979, but differing views were expressed on the selection of lecturers for the seminars and regional courses organized by UNITAR. Some members took the position that there had not been sufficient regional balance among the lecturers and that UNITAR should provide greater representation of lecturers from the Third World and the Eastern European countries.

At the 14th session the United Nations Legal Counsel also brought to the committee's attention the serious financial situation of the Hague Academy of International Law, which provides courses attended by participants in the United Nations-UNITAR Fellowship Program. The committee recommended that the General Assembly draw the attention of governments and other potential donors to the Academy's situation.

The Sixth Committee considered the item at four meetings on November 30 and December 3 and 4. On December 3, Ghana introduced a draft resolution, ultimately sponsored by 18 states, that, *inter alia*, (1) authorized the Secretary General to carry out in 1980 and 1981 the activities specified in his report, including the provision of a minimum of 15 fellowships, at the request of developing countries, and a travel grant for one participant from each developing country invited to the regional activities to be organized during the 2 years; (2) expressed appreciation to the Secretary General for his constructive efforts to promote training and assistance in international law; (3) expressed appreciation to UNESCO, UNITAR, and the Hague Academy for their cooperation and participation in the Program and to the Government of Mexico and the Center for Economic and Social Studies of the Third World in Mexico City for serving as hosts for the regional training and refresher course held in 1979; (4) noted with appreciation the contribution made by the Hague Academy and called upon states and interested organizations to give favorable consideration to its appeal for financial assistance; (5) urged all governments to encourage the inclusion of courses on international law in the programs of legal studies offered in institutions of higher learning; (6) requested the Secretary General to continue publicizing the Program; (7) reiterated a request to member states, interested organizations, and individuals to make voluntary contributions toward financing the Program; (8) decided to appoint 13 states to serve as members of the advisory committee for the period 1980-84; (9) requested the Secretary General to report to the General Assembly at its 36th session on the implementation of the program during 1980-81; and (10) included the item in its proposed agenda for its 36th session. The United States did not seek reappointment to the advisory committee for the 1980-84 term in order to allow another member of the Western regional group to serve on the committee. On December 3, Tanzania introduced an amendment that expressed the hope that UNITAR, in appointing lecturers for its seminars and regional courses, would take into account the need to secure representation of major legal systems and balance among various geographic regions. The U.S. Representative, Mr. Rosenstock, pointed out that international law is, by definition, "international" and that an emphasis on geographic distribution in appointing lec-

turers would therefore be inappropriate. After receiving appropriate assurances from several delegations, the United States subsequently withdrew as unnecessary a subamendment that would have made clear that no criticism of UNITAR's past selections was intended and that future selections should be determined on the basis of individual qualifications and merit. The Sixth Committee approved the Tanzanian amendment on December 4 by a vote of 101 to 1 (U.S.), with 13 abstentions.

On December 4, the Sixth Committee approved the draft resolution by consensus, and on December 17 the Assembly adopted it, also by consensus. (Resolution 34/144.)

INTERNATIONAL DEVELOPMENT LAW

The 34th General Assembly allocated to the Sixth Committee the agenda item on "Consolidation and progressive development of the principles and norms of international economic law relating in particular to the legal aspects of the new international economic order." The Sixth Committee considered the item at seven meetings between November 29 and December 6.

In a working paper and introductory statement to the Sixth Committee on November 29, the Philippines expressed its view that norms and principles constituting modern international economic law have emanated from sources such as the Declaration and Program of Action on the Establishment of the New International Economic Order, the Charter of Economic Rights and Duties of States, the Lima Declaration and Plan of Action on Industrial Development and Cooperation, and the Final Acts of the five sessions of the UN Conference on Trade and Development. Specifically, the working paper asserted that the developed countries are under a legal obligation to cooperate with the developing countries in implementing these norms and principles in good faith.

On December 3 the Philippines introduced a draft resolution on this item in the Sixth Committee. On December 6, the Committee approved by a vote of 79 to 7 (U.S.), with 26 abstentions, a revised draft which, *inter alia*, (1) noted the provisions of the UN Charter relating to international economic matters; (2) recalled previous resolutions of the General Assembly concerning social progress and development, friendly relations among states, and the International Development Strategy; (3) recalled further the resolutions of the 6th special, 29th, and 7th special sessions of the UN General Assembly on the New International Economic Order, the Charter of Economic Rights and Duties of States, and development and international economic cooperation; and (4) considered that the UN Charter and the

aforementioned resolutions, as well as other resolutions and decisions adopted by UN bodies and conferences, "contain principles and norms of international economic law which should govern economic relations between and among states of differing levels of development and different economic systems." In its operative paragraphs, the draft resolution (1) requested the Secretary General to study, in collaboration with UNITAR and UNCITRAL, the development of the principles and norms of international economic law relating in particular to the new international economic order, with a view to embodying them in one or more instruments; (2) invited member states to submit their views on the questions prior to the 35th session of the General Assembly; and (3) requested the Secretary General to submit a preliminary report on this item to the 35th session, together with the views of governments.

During consideration of the draft resolution in the Sixth Committee, the U.S. Representative, Mr. Rosenstock, stated that the preambular paragraphs attempted to attribute to previous General Assembly resolutions the status of law, which they do not possess. Mr. Rosenstock declared that these resolutions were recommendatory in nature and had to be evaluated on the basis of the circumstances in which they were adopted. He pointed out that the United States and other major trading countries had either voted against or expressed strong reservations concerning most of the resolutions cited, and these positions must be taken into account. With regard to the operative paragraphs, Mr. Rosenstock expressed the opinion that they were premature, but he voiced confidence that the Secretary General would submit a balanced report reflecting the views of all delegations and containing a detailed analysis which would facilitate achieving a consensus in the future examination of the matters addressed in the resolution.

On December 17, the resolution was adopted by the General Assembly in a recorded vote of 112 to 6 (U.S.), with 26 abstentions. (Resolution 34/150.)

INTERNATIONAL CONVENTION AGAINST MERCENARY ACTIVITIES

At the request of Nigeria, an item entitled "Drafting of an international convention against activities of mercenaries" was included in the agenda of the 34th General Assembly. The item was considered on December 14 in a plenary session of the General Assembly, without reference to a main committee. Nigeria introduced a draft resolution, eventually sponsored by 24 states, which, *inter alia*, recalled previous General Assembly resolutions condemning

mercenaries and those states which tolerate recruitment of mercenaries; called upon all states to exercise vigilance against mercenaries and to ensure that their territories are not used for the recruitment, assembly, financing, training, and transit of mercenaries; invited all member states to communicate to the Secretary General their views on the need to elaborate an international convention to prohibit such activity; and decided to include in the agenda of the 35th session an item on the drafting of an international convention against the recruitment, use, financing, and training of mercenaries.

The resolution was adopted without a vote at the same meeting on December 14. (Resolution 34/140.)

Part 5

Budget, Administration, and Institutional Management

Basic to the activities, even the existence, of the United Nations is the General Assembly's Fifth Committee (Administrative and Budgetary). The work of this committee is related to the work of each of the other six main UN committees. It deals first of all with the life-blood of the organization—money. Before the General Assembly votes on a resolution which would require the expenditure of UN funds, the Fifth Committee provides information about the effect the proposal would have on the UN budget if adopted. More importantly, this committee makes recommendations to the General Assembly on the regular program budget of the organization and on assessed peacekeeping budgets. It is this committee which also deals with across-the-board administrative matters, such as personnel issues, the scheduling of the hundreds of conferences and meetings held each year, and the coordination of activities among the various elements of the United Nations.

A number of special bodies have been established by the United Nations to assist in various aspects of the Fifth Committee's work. Some of these consist of experts, elected by the General Assembly, who serve in their personal capacities. Others are intergovernmental in nature. All are relatively small and much of their work is quietly done behind the scenes throughout the year. The United States or American citizens are members of all the bodies subject to geographical distribution.

With respect to financial matters, the best known of the expert committees are the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Committee on Contributions. The former examines the Secretary General's proposals and reports to the General Assembly on the UN budget and UN accounts; on the administrative budgets of the UN specialized agencies; and on other administrative, financial, and budgetary matters referred to the Advisory Committee. The Committee on Contributions advises the General Assembly on the apportionment among UN members of

the expenses of the United Nations. Other expert financial bodies are the Board of Auditors, the Investments Committee, and the UN Joint Staff Pension Board.

Among the expert bodies in the administrative field, the International Civil Service Commission (ICSC) is of particular importance. It makes recommendations to the General Assembly for regulating and coordinating conditions of service within the United Nations, the specialized agencies, and other international organizations that participate in the UN common system. Another important intergovernmental body in the administrative area is the Committee on Conferences, which seeks to develop a workable calendar of UN meetings and advises the Assembly on the most efficient use of conference resources and on current and future requirements.

In addition to the above, three other bodies have responsibilities ranging broadly across the work of the whole UN system of organizations. The Joint Inspection Unit (JIU), a group of experts, is empowered to investigate and evaluate any matter relating to the efficiency of services and the proper use of funds. The Committee for Program and Coordination (CPC), an intergovernmental body, serves as the main subsidiary organ of both the Economic and Social Council (ECOSOC) and the General Assembly for evaluation, program review, planning, programing, and coordination. Finally, the Administrative Committee on Coordination (ACC), composed of the UN Secretary General and the executive heads of the specialized agencies, the IAEA, and other major bodies and programs, meets regularly to supervise the implementation of the agreements between the United Nations and the specialized agencies and to coordinate the activities of the various organizations.

The developments described in Part 5 of this report reflect in large measure the work of these bodies.

UN FINANCIAL MATTERS

UN Financial Situation

The short-term deficit of the United Nations has continued to increase. As of September 30, 1979, the deficit was over \$201 million, an increase of more than \$49 million since September 30, 1978. Most of this deficit is caused by certain member states, such as the U.S.S.R. and China, who withhold all or part of their UN peace-keeping operations assessments. Also, the U.S.S.R. (including the Ukrainian and Byelorussian S.S.R.), Bulgaria, and the German Democratic Republic add to the deficit by attempting to pay their portion of the UN regular budget for technical assistance in non-

convertible national currencies. These payments are not accepted by the United Nations unless that currency is specifically needed by the organization.

In 1975, the 30th General Assembly established a Negotiating Committee on the Financial Emergency of the United Nations in order to seek a solution to the United Nation's financial problem. The Committee failed to reach a consensus and reported to the 31st General Assembly that the situation remained serious but that no solution was in sight. Consideration of the report has been deferred by each subsequent Assembly. The United States has continued to maintain that member states responsible for the UN financial problem should (1) pay their arrears either through voluntary contributions or through direct payment of past assessments; (2) discontinue the withholding of assessed contributions; and (3) contribute only in currencies usable by the United Nations.

UN Regular Budget

On December 20, 1979, by a recorded vote of 119 to 9, with 9 (U.S.) abstentions, the General Assembly approved a 1980-81 UN expenditure budget, recommended by the Fifth Committee, of \$1,247,793,200. (Resolution 34/230A.) The Assembly also approved by a vote of 116 to 9, with 11 (U.S.) abstentions, a decrease of \$5,927,300 for the 1978-79 biennium, which lowered the final appropriations for those 2 years to \$1,084,186,200. (Resolution 34/223.) Accordingly, the amount initially appropriated for 1980-81 exceeded the final 1978-79 budget by \$163,607,000, or 15.1%.

The increase of the 1980-81 budget over the 1978-79 budget is attributable to the following: inflation, \$77.4 million; nonrecurring program increases, \$71.0 million; regular program increases, \$7.0 million; restoration of the program bases caused by inflation during 1978-79, \$7.3 million; and currency fluctuations, \$.9 million. Major components of the program increases include \$29.1 million for construction, alterations, improvements, and major maintenance of premises; \$3.3 million for substantive work related to the 1981 U.N. Conference on New and Renewable Sources of Energy; \$1.4 million for the new Center for Science and Technology for Development; and a \$3.5 million direct grant to the UN International School. Also included are the requisite funds for the addition of 350 positions to the UN staff, bringing the 1980-81 level of established positions to 11,214.

In explanation of the vote on the 1980-81 Budget, the U.S. Representative, George F. Saddler, stated that the UN program budget was much higher than it should be and much higher than many

governments were prepared to pay. The United States, he continued, had to abstain on the budget not only because of its absolute size but also as a clear indication of its concern about a number of regrettable budget actions. Among these actions referred to were decisions by the United Nations to include financing for exclusive meetings; to pay travel costs for a limited group of member states in clear violation of the universality principle; to underwrite office costs for national liberation movements; and to fund the Palestine Rights Unit. Mr. Saddler went on to say that the UN bureaucracy had been increased by the unwarranted addition of large numbers of new positions and that remunerations, benefits, and allowances for UN staff were unjustifiably high.

In addition, throughout debates on the budget, the United States reiterated the theme that the United Nations had not done enough to identify marginal, obsolete, and ineffective programs. Although some progress had been made, the United States believed that future UN Secretariat reports on these activities had to be broadened to include all UN program activities and had to provide more details as to the exact amount of resources that would become available due to program phaseouts. In this way UN program managers could better assess the impact of program reductions and subsequently divert scarce resources to higher priority activities. Moreover, well-informed member states could then propose the addition of new programs and activities to be carried out within existing budget resources without fear that such proposals would result in larger increases in the program budget.

Audit Reports

During the 34th General Assembly, the Fifth Committee considered the 1978 financial reports and accounts of six voluntarily funded United Nations programs: UNDP, UNICEF, UNRWA, UNITAR, UNFPA, and UNHCR. A Canadian proposal to revamp the auditing function by turning the audit process over to an Auditor General and converting the Board of Auditors into an expanded review body was also considered.

Mr. Saddler emphasized the importance the United States attaches to the audit function and noted that ensuring effective financial management practices in UN organizations was essential. He commended the Board for "its significant contribution in its continuing effort to improve financial management in the United Nations." All member states, he stated, were responsible for monitoring the efforts

of the heads of UN organizations and programs and for insisting that the Board's recommendations be carried out in a timely and effective manner.

The United States was disturbed, he continued, that despite some improvements in the quality and scope of UN financial systems, no significant progress had been made on the Board's key recommendations from last year, i.e., calling for a strengthened mandate for the Controller and the establishment of a systems group to deal exclusively with financial management and control systems.

Mr. Saddler urged UNDP and UNICEF to take steps to ensure effective computer safety and utilization, a problem highlighted by the Auditors, and indicated that the United States hoped that UNITAR would adopt more effective procedures for monitoring cash balances to ensure the optimum utilization of funds.

With regard to UNRWA, the United States hoped that this agency would give special attention to the review of the present scope, size, and organizational arrangements covering its internal procedures.

Mr. Saddler, then turning to the UNHCR, indicated that he was sure that the High Commissioner would heed the Board's recommendations for improved coordination and internal control over procurement, make timely collections of loans to refugees, and improve controls over property.

With respect to the Canadian auditing proposal, Mr. Saddler stated that the United States agreed with the need to enhance the quality of UN auditing procedures and practices as a means of improving financial management. He pointed out that the Canadian proposal could work towards ensuring that objective. Before sweeping changes were made in the present role of the Board of Auditors, however, additional consideration of practical problems and difficulties might be in order.

On October 25, 1979, the General Assembly adopted, without objection, resolution 34/5 on the Financial Reports and Accounts and reports of the Board of Auditors which, *inter alia*, accepted the financial reports and accounts and audit opinions of the voluntarily funded programs and requested executive heads of organizations to take remedial action as required.

In a related decision, 34/403, adopted without a vote, the General Assembly noted the Canadian proposal and requested both the Board of Auditors and the Panel of External Auditors to submit their views on the Board's organization and professional practices at its 36th session. The General Assembly also requested the Secretary General's views and those of the Advisory Committee on Administrative and Budgetary Questions, as well as its recommendations, on the organization and professional practices of the Board of Auditors.

Financing of Peacekeeping Operations: UNIFIL/UNEF/UNDOF

On December 17, 1979, the General Assembly, on the recommendation of the Fifth Committee, adopted resolution 34/9 B by a recorded vote of 111 (U.S.) to 13, with 2 abstentions. This portion of the resolution appropriated the following amounts for 1979 to finance the UN Interim Force in Lebanon (UNIFIL); \$51,906,000 for the period January 19 to June 18; \$44,756,800 for the period June 19 to October 31; and \$16,275,500 for the period November 1 to December 18, 1979. By the same resolution, the Secretary General was authorized to enter into commitments of \$10,767,166 per month for the period December 19, 1979, through December 18, 1980, contingent upon the Security Council's renewing UNIFIL's mandate beyond the 6-month period authorized under its resolution 450 of June 14, 1979.

The General Assembly also "considered with concern" the mounting deficit of UNIFIL brought about by certain member states withholding their contributions. As a result of this withholding, the United Nations has had difficulty paying troop-contributing countries on a current basis. In a report to the General Assembly, the Secretary General indicated that more than one-fourth of the total amounts apportioned among member states to finance UNIFIL must, at present, be considered uncollectible.

Accordingly, in an attempt to alleviate the grave financial situation faced by UNIFIL, the General Assembly, on the recommendation of the Fifth Committee, adopted two more resolutions by a recorded vote of 111 (U.S.) to 13, with 3 abstentions, resolution 34/9 C, and by a vote of 108 (U.S.) to 13, with 6 abstentions, resolution 34/9 D. These resolutions, *inter alia*, invited voluntary contributions to UNIFIL and established a Suspense Account to supplement the regular Special Account which, *inter alia*, reimburses governments for costs incurred in contributing troops, equipment, and supplies to UNIFIL. In establishing the Suspense Account, it was understood that contributions to that account would be considered cash advances, and when a sufficient number of assessed contributions were received in the regular Special Account, the cash advanced would be either credited or paid back to the donor states or organizations.

In his statement before the Fifth Committee, Mr. Saddler stated that "the United States joins in the call to all nations that are in arrears on their assessments to reassess their stand and to clear up their debts to this important peacekeeping effort promptly, as practical evidence of their commitment to peace."

On December 3, 1979, the General Assembly, on the recommendation of the Fifth Committee, adopted two financing resolutions for

UNEF and UNDOF. The first, resolution 34/7 B, was adopted by a recorded vote of 98 (U.S.) to 12, with 7 abstentions, and the second, resolution 34/7 C, was adopted by a recorded vote of 93 (U.S.) to 3, with 17 abstentions. Resolution 34/7 B appropriated \$18,202,000 to liquidate the UN Emergency force (UNEF), which terminated on July 24, 1979. Resolution 34/7 C appropriated \$8,034,170 for the UN Disengagement Force (UNDOF) for a period June 1 through October 24; \$2,062,827 for the period October 25 to November 30, 1979; and \$12,578,000 for the period December 1, 1979 through May 31, 1980. The resolution also authorized the Secretary General to enter into commitments for UNDOF at a rate not to exceed \$2,096,333 per month for the period June 1 to November 30, 1980, should the Security Council decide to continue the force beyond the period of 6 months authorized under its resolution 456 of November 30, 1979.

The financing resolutions reaffirmed the principle of the special responsibility of the permanent members of the Security Council to maintain international peace and security and implicitly endorsed the collective responsibility of the entire membership of the organization for meeting peacekeeping costs.

Scales of Assessment

Following are the U.S. shares of the assessed budgets of the United Nations, the specialized agencies, and the IAEA for 1979 and 1980 (projected):

	1979 Percent	1980 Percent
UN	25.00	25.00
FAO	25.00	25.00
ICAO	25.00	25.00
IMCO	4.04	4.30
ITU	7.03	7.03
UNESCO	25.00	25.00
UPU	4.69	4.69
WHO	25.00	25.00
WIPO	4.29	4.45
WMO	23.46	24.57
IAEA	25.75	25.84

The General Assembly fixes the rates of assessment for members of the United Nations on the basis of the recommendations of the

Committee on Contributions.¹ The assessment rates of the specialized agencies are determined by each agency and are in many, but not all, cases based on the UN scale.

INSTITUTIONAL MATTERS

Committee for Program and Coordination

The CPC,² the main subsidiary organ of both ECOSOC and the General Assembly for planning, programing, and coordination, held its 19th session (May 7-June 1, September 24-28, and October 4) in New York.

PLANNING PROCESS

The CPC devoted most of its time to an in-depth study of the UN planning process. It decided on this concentration because it was dissatisfied with the quality of the draft medium-term plan submitted for its review in 1978. That plan was over long, often obscurely written, and contained almost no rank-ordering of proposed activities. An important factor contributing to this situation was the frequency with which the plan had to be prepared. Although covering 4 years, the plan was prepared on a "rolling" basis so that it had to be rewritten every 2 years. Thus, in every year when a biennial program budget was not required, a 4-year medium-term plan was.

The Committee made a number of recommendations which were subsequently endorsed by ECOSOC on August 3 and incorporated in a resolution, cosponsored in the Fifth Committee by the United States, that the General Assembly adopted without vote on December 20. (Resolution 34/224.)

One of the major decisions was that the medium-term plan should cover 6 years rather than 4. It was also decided that the next plan should cover the years 1984-89 and that no plans needed to be submitted in 1980. Although there was general agreement that the plan should be subject to *ad hoc* amendment as necessary, there was no agreement on whether the plan should continue to "roll" periodically or have a "fixed horizon." The United States strongly advocated adopting a "fixed horizon" for the plan. It was the belief of the

¹ The committee is an expert body appointed by the General Assembly for 3-year terms. Richard V. Hennes of the United States was a member during 1979 and was reelected for another 3-year term at the 34th General Assembly.

² Composed of 21 states elected for 3-year terms, its members in 1979 were Argentina, Belgium, Brazil, Burundi, Colombia, France, Ghana, India, Indonesia, Japan, Kenya, Norway, Pakistan, Romania, Sudan, Trinidad and Tobago, Uganda, U.S.S.R., United Kingdom, United States, and Yugoslavia.

United States that the less frequently the plan needed to be rewritten, the more carefully it could be prepared and reviewed, consequently enhancing its value as a management tool. Most of the other developed country members of the Committee as well as the representatives of other UN agencies also supported this position as a way of harmonizing and coordinating program planning processes in the UN system. However, the developing country members did not agree that total synchronization of planning periods was necessary to achieve these goals.

Other significant decisions were that the plan (1) should emphasize the description of objectives and strategy; (2) clearly identify new activities to make identifying those with marginal utility possible; (3) serve as the framework for the biennial program budget; (4) make objectives time-limited as far as possible; (5) strengthen the key elements of performance reporting and evaluation; (6) develop achievement indicators; and (7) adjust the preparation period for the plan to achieve the effective participation of all pertinent central, regional, sectoral, and functional bodies.

The CPC decided to continue its work on the program planning process at its session in 1980.

EVALUATION

The most notable development with respect to evaluation was the improvement in the UN Secretariat's machinery for implementing it.

In 1978 the CPC had concluded that internal studies tended to be less objective than those done by an external body, such as the Joint Inspection Unit (JIU). In 1979 the Committee considered an evaluation of the transnational corporations program made by the Secretariat, but under a new system which mitigated the bias that could result from a program being evaluated by the same units responsible for its implementation.

This study was prepared by a newly established internal evaluation unit in the Office for Program Planning and Coordination of the Department of International Economic and Social Affairs. Certain checks and balances were provided by a high-level Steering Committee chaired by the Director General for Development and International Economic Cooperation. The Steering Committee included the Under Secretary General for Administration and Management, the Under Secretary General for International Economic and Social Affairs, the Assistant Secretary General for Program Planning and Coordination, and the head of the program under evaluation—in this case, the Executive Director of the Center for Transnational Corporations.

The CPC commended the report for its quality, and several

members, including the United States, expressed the view that the methodology and machinery used were useful and should be applied in future evaluation exercises.

On the basis of the report, the Committee made several recommendations for improving the program. One of the most important was that the Center should ensure that the work program it presented to the intergovernmental Commission on Transnational Corporations be derived from the medium-term plan and the program budget, so that the two previously independent programming processes would be reduced to only one. ECOSOC endorsed these recommendations, along with the others in the Committee's report, on August 3.

COORDINATION

The Committee continued a discussion begun at its 1978 session on the harmonization and coordination of computerized information systems within the UN family. It expressed great and continuing concern that the various administrative and substantive systems generally were not coordinated and frequently were incompatible.

The Committee based its consideration of the problem primarily on a report issued by the JIU in December 1978 that recommended a number of ways to strengthen the pertinent coordinating body, the Inter-Organization Board for Information Systems (IOB). (The IOB is a subsidiary body of the ACC.) In general, the member states of CPC supported strengthening the IOB, whereas representatives of the various organizations tended to resist such strengthening. The United States took the lead in supporting the findings of the JIU, most of which subsequently were endorsed by the Committee, which recommended, *inter alia*, that (1) all members of the ACC should also be members of the IOB; (2) organizations should ensure that their representation on the IOB is at a level appropriate to handle both policy and technical issues; (3) proposals for new information systems or major modifications of existing ones should be referred to IOB for information and advice, as appropriate; and CORE/1³ should be completed by June 1, 1980.

When the CPC and the ACC later held joint meetings in July just before the summer session of ECOSOC, agreement was reached that CORE/1 should be implemented without delay but that further action on CORE/2 should await consideration of how the information it

³CORE is an interorganizational common register of development activities. Originally called for by ECOSOC over 10 years ago, it has undergone several modifications of name and content but has not yet been implemented. CORE/1 involves financial analysis of the various UN organizations' expenditures by section and by country; CORE/2 is a more elaborate indexing of activities undertaken in projects throughout the system.

produced related to intergovernmental program needs. The two committees also agreed that further consideration should be given to ACC's proposal that *ad hoc* meetings be held by governmental and secretariat experts to determine what systemwide information was both needed and realistic to produce.

REVIEW OF THE PROGRAM BUDGET

The CPC is mandated to review the biennial program budget, but the draft was submitted so late that even though the resumed session was postponed, it proved impossible for the Committee to review more than a portion of the overall draft program budget. The lateness of the documentation was a continuation and worsening of the situation experienced the previous year with respect to the medium-term plan.

On October 4 the Committee decided to report to the General Assembly that its work on the budget had been "literally paralyzed" by the "failure of the Secretariat to provide documentation on time in all the working languages."

Joint Inspection Unit

During 1979 the Joint Inspection Unit⁴ continued its program of independent studies, evaluations, and inspections of various facets of the UN system of organizations.

In its second full year under its permanent Statute, the Unit completed 18 reports, almost double its average annual production in previous years. Eight of the studies dealt with various regional training and research institutions, with a view to determining their potential for realizing continued technical cooperation among developing countries. Three of the studies dealt with operational aspects of the programs of different organizations, such as the use of consultants; three were reports on discrete organizational units; and four dealt with programing, budgeting, and evaluation. This latter group contained reports of particular interest to the United States.

One study, "Medium-Term Planning in the United Nations," served the CPC as a basic document in considering the UN planning process (see p. 324). Another "Initial Guidelines for Internal Evaluation Systems of UN Organizations," described various viable systems and provided practical, flexible guidance for organizations

⁴ Composed of 11 Inspectors appointed by the General Assembly to serve in their personal capacities for 5-year terms. Earl D. Sohm of the United States is a member. On Dec. 20 the Assembly, without a vote, reappointed him for a term beginning Jan. 1, 1981, and ending Dec. 31, 1985.

wishing to establish or strengthen their evaluation activities. This report was widely approved and its recommendations generally accepted by the UN organizations to which it was addressed. A third report, issued at the end of the year, was a two-volume "Evaluation of the Technical Cooperation Activities of the UN System in Sri Lanka." This was the first major effort by the Unit to evaluate a total country program. It is expected to be widely considered during 1980 by intergovernmental bodies and secretariats of the concerned UN organizations.

Several of the JIU's 1978 and 1979 reports were on the agenda of the 34th General Assembly, along with brief reports by the Secretary General on actions taken to implement recommendations. On November 21 in the Fifth Committee the United States strongly endorsed the work of the JIU—particularly the work concerned with enhancing the practical application of evaluation activities throughout the UN system—and the related actions of the Secretary General.

On December 17 the Assembly, on the recommendation of the Fifth Committee, adopted without a vote a resolution that, *inter alia*, (1) approved the "Glossary of Evaluation Terms" (published in late 1978) and recommended using it throughout the UN system; (2) endorsed the conclusions and recommendations of the "Initial Guidelines for Internal Evaluation Systems of UN Organizations"; (3) noted with approval the Secretary General's reports on identifying output in the UN program budget and on establishing internal work programs and procedures for reporting on program implementation;⁵ (4) took note of the report on the Inter-Organization Board for Information Systems (see p. 326); and (5) commended the JIU and the Secretary General for "their efforts in the area of evaluation and advice, both internal and external," and urged them "to continue their efforts in that direction, with a view to improving the administrative and budgetary efficiency and effectiveness of the UN system." (Resolution 34/164.)

UN Restructuring: Economic and Social Sector

In 1977 the General Assembly had adopted a comprehensive resolution, 32/197, designed to improve the structure and performance of the United Nations and its associated organizations with respect to economic and social activities. Most of the resolution's more significant conclusions and recommendations were implemented during 1978, but the 33rd Assembly (in resolution 33/202)

⁵ Recommendations from the JIU's 1978 report, "Programming and Evaluation in the United Nations."

requested all bodies of the UN system to take further action to give "full effect" to the recommendations of 32/197.

At six meetings between December 5-14, 1979, the Second Committee of the 34th General Assembly briefly considered restructuring, along with other items on its omnibus agenda item, "Development and International Economic Cooperation."

The G-77 introduced several draft resolutions dealing with parts of the 1977 restructuring resolution. Following consultations with other members, including the United States, most of the drafts were revised, and five were approved by the Second Committee and subsequently adopted without vote by the General Assembly in plenary session on December 19.

The first resolution concerned structures for regional and inter-regional cooperation and (1) called for "more vigorous action" to enable the regional commissions to become "the main general economic and social development centers within the UN system for their respective regions"; (2) requested the Secretary General to intensify decentralization through, *inter alia*, the redeployment of existing posts from Headquarters; and (3) requested the Secretary General to provide all necessary support to the Committee for Program and Coordination in a review of "policy and program issues relating to the distribution of tasks and responsibilities between the regional commissions and other UN units, programs, and organs." (Resolution 34/206.)

The second resolution concerned organizational and working procedures of the Second Committee. It proposed regrouping agenda items to facilitate discussion and action and decided to consider at the 35th session the possibility or desirability of examining some agenda items on a biennial basis, including assigning some items to ECOSOC for discussion and final decision. (Resolution 34/212.)

The third resolution dealt with operational activities in the UN system. It (1) called for giving special attention to ways to increase the level of voluntary contributions for operational activities for development; (2) took note of the proposed "standard letter of designation" for a UN resident coordinator; (3) reaffirmed that assistance provided by the UN system should be in conformity with the national objectives and priorities of the recipient countries who retained the prerogative of coordinating various assistance inputs at the national level; (4) reaffirmed the UN resident coordinator's overall responsibility for operational activities of the UN system and provided guidelines for carrying out those functions; (5) decided that the guidelines did not affect relations between governments and individual organizations of the UN system; and (6) requested the Secretary General to proceed with designating resident coordinators. (Resolution 34/213.)

The fourth resolution dealt with interagency coordination and (1) called for improved communication between the ACC and intergovernmental bodies, singling out the CPC for special mention; (2) reiterated that interagency coordination should aim at facilitating intergovernmental decisions, implementing such decisions, and translating them into mutually complementary or joint programming activities; (3) repeated its request that the ACC should give highest priority to questions related to the development of developing countries and to international economic cooperation and that it should keep its functioning and reporting system geared to the concerns, directives, and work programs of the General Assembly and ECOSOC; and (4) requested the ACC, in submitting suggestions and studies, to state options and alternative courses of action in order to facilitate decisionmaking. (Resolution 34/214.)

The fifth resolution concerned Secretariat support services. It called for "immediate implementation of the provisions of section IV of General Assembly resolution 33/202," which had called for strengthening the role of the Director General for Development and International Economic Cooperation by providing adequate resources, authority, and cooperation from other organizations. (Resolution 34/215.)

On December 5 Jamaica and Argentina introduced a far-reaching draft resolution on the structure of ECOSOC that would have approved an amendment of the UN Charter increasing ECOSOC from its present composition of 54 elected members to universal membership. It would also, *inter alia*, have abolished various functional commissions and committees. On December 14 the Fifth Committee decided without vote to defer action on the draft until the 35th Assembly and to invite members to continue their consultations on ways to strengthen the functioning of ECOSOC.

UN ADMINISTRATIVE MATTERS

Committee on Conferences

In 1977, the 32nd General Assembly established the Committee on Conferences⁶ on a permanent basis, mandating it to advise the General Assembly concerning current and future requirements of the United Nations for conference services and to improve coordination of conferences within the UN Organization. Further, the Committee

⁶ Current membership (1978-80): Algeria, Austria, Canada, Chile, Czechoslovakia, Egypt, France, Honduras, Indonesia, Japan, Kenya, Mexico, New Zealand, Nigeria, Peru, Philippines, Sri Lanka, Ivory Coast, U.S.S.R., United Kingdom, United States, and Yugoslavia.

on Conferences is required to act on behalf of the General Assembly in dealing with departures from the approved calendar of conferences that have administrative and financial implications and to recommend the means to provide the optimum apportionment of conference resources, facilities, and services.

The Committee, which is in permanent session, met 16 times in 1979 and devoted its attention to increased efficiency in providing documentary services for conferences and methods of limiting UN conference activity. The Committee investigated establishing work measurement standards for conference-servicing personnel. Standards of staffing requirements have been developed only for the staff of the Department of Conference Services; they do not exist for the substantive, technical, and complementary conference staff. The Committee recommended that the Secretary-General continue to work in this area.

The Committee conducted an extensive debate on the concept of a "quota system" that would set an absolute limit on the number of UN conferences that could be held during any one year. Although many states recognize the problem of conference proliferation, there was no consensus on how to deal with it. Consequently, the Committee was unable to recommend a solution. The U.S. delegation supported the "quota system" concept, but many other Committee members felt that this was an issue that the General Assembly should deal with. The Committee did, however, agree on the need for some type of action, and it recommended that existing rules regarding the use of conference resources be strictly enforced and that it concentrate on preparing and developing a comprehensive set of measures of a regulatory rather than a mandatory nature.

During the Fifth Committee discussion of the recommendations and draft resolutions contained in the report of the Committee on Conferences, the U.S. Representative, Theodore Papendorp, stated that the United States has a continuing interest in proposals to strengthen the Committee's mandate or to make its efforts to obtain better management of scarce conference resources more efficient. He also reiterated U.S. support for a program of fewer meetings and briefer reports, which would effect material savings.

With regard to limiting records services costs, the U.S. delegation endorsed a proposal to eliminate summary records for UN subsidiary bodies for a trial period of 2 years. This proposal had been recommended to the General Assembly of the Committee for Program and Coordination (contained in Part 5 of its report)⁷, that certain resolutions of the Economic and Social Council on control and limitation of documentation be applied also to the Assembly and its subsidiary bodies. This plan represents the first significant attempt to control

⁷ A/34/38

the growing costs of conference documentation, and it was fully supported by the United States, both in the Fifth Committee and in the Plenary. The recommendations of both the Committee on Conferences and the Committee for Program and Coordination concerning the suspension of summary records were incorporated into the draft resolution submitted by the Chairman of the Fifth Committee on October 23. The Committee approved the draft resolution by consensus on the same day. When the draft was considered in the Plenary on November 23, the General Assembly accepted an understanding, stated by its President, that the 2-year experimental period referred to in the ECOSOC resolutions (insofar as the summary records of the subsidiary organs of the General Assembly were concerned) would be reduced to an experimental period of 1 year. At the end of the year, the Secretary General would report to the General Assembly at its 35th session. During the experimental period, the International Law Commission and the Committee of the Whole, established under resolution 32/174, would continue to have summary records. Resolution 34/50 was adopted by consensus on November 23.

The report of the Joint Staff Pension Board (JSPB) was approved by the Fifth Committee on December 12 by a vote of 86 to 0, with 7 (U.S.) abstentions, and adopted by the Assembly on December 20 by a vote of 123 to 0, with 13 (U.S.) abstentions. (Resolution 34/221.) The resolution, *inter alia*, called on both the ICSC and the JSPB . . . "to conclude in 1980 their comprehensive examination of the functioning, methods of establishment and adjustment and appropriate level of pensionable remuneration with a view to submitting proposals to the General Assembly at its 35th session, for correcting, no later than January 1981, anomalies in the United Nations pension system brought about by the current economic and monetary circumstances. . . ."

In a separate action, the General Assembly, without vote, on December 20 decided that if a long-term solution were not forthcoming at the 35th session, "the Assembly would give serious consideration to the freezing of the Weighted Average of Post Adjustment at its 1980 level, effective 1 January 1981." (Decision 34/456.)

It was agreed in the JSPB report that persons over 60 may now be covered by the pension fund. The change should eliminate situations in which the United Nations makes large cash settlements to persons employed after the age of 60 who retired after several years' service.

United Nations Accommodations

There were three major actions taken by the 34th General Assembly involving UN facilities.

EXPANSION OF UN HEADQUARTERS FACILITIES

In 1978 the 33rd General Assembly approved projects to expand conference and dining facilities at the United Nations Headquarters in New York. Original estimates for the completion of this work proved inadequate to cover projected actual expenses, and as a result, on December 13, 1979, the Fifth Committee approved an amount of \$18,760,700 to meet the resultant cost overruns.

The Fifth Committee vote on this issue was 67 to 11, with 22 (U.S.) abstentions. The U.S. Representative, Mr. Papendorp, indicated that while the United States did not object to completing the project, our abstention was an expression of disquiet at the large amount of the increase and at the lack of time to study the matter.

The General Assembly at its 111th meeting on December 20, 1979, approved the increased construction costs recommended by the Fifth Committee by a vote of 119 to 9, with 9 (U.S.) abstentions. (Resolution 34/230, Section A.)

VIENNA INTERNATIONAL CENTER

The Fifth Committee on December 18, 1979, approved an additional amount of \$5,415,400 for UN accommodations at the Vienna International Center for 1980-81. The decision was taken by a nonrecorded vote of 81 to 6, with 2 (U.S.) abstentions. This amount was \$12,523,300 less than requested by the Secretary General. The Fifth Committee action was taken on the recommendation of the Advisory Committee on Administrative and Budgetary Questions, and the amounts represented estimated 1980 requirements only. The Committee recommended that thorough review and analysis of actual requirements for the Vienna Center should be made at the 35th General Assembly.

The \$5,425,400 for the Vienna International Center was included in section A of resolution 34/230, which was voted upon by the General Assembly at its 111th meeting on December 20, 1979. The recorded vote was 119 to 9, with 9 (U.S.) abstentions.

UN BUILDINGS AT NAIROBI

On December 14, 1979, the Fifth Committee recommended that the General Assembly authorize, *inter alia*, the construction of three buildings near Nairobi to house the United Nations Center for Human Settlements (Habitat). The vote was 85 (U.S.) to 8, with 0 abstentions.

The proposed construction would be an expansion of plans for a new United Nations Environment Program (UNEP) headquarters.

The General Assembly authorized construction of this project in 1977 and it is now underway. In addition to the three buildings for the Center, the Committee recommended to approve the Secretary General's proposal to expand the Conference and common services facilities of the United Nations Center at Nairobi. To that end, a sum of \$1,916,000 was added to the \$14,274,000 that had already been approved for the overall Nairobi project during the Committee's first reading of the 1980-81 budget.

Although concerned about the relatively high percentage of usable space to be allocated to nonoperational purposes, Mr. Papendorp stated that he had voted in favor of the project because of the need to ensure maximum economy in providing common services for UN organizations in Nairobi.

On December 20, 1979, the General Assembly adopted resolution 34/233 by a vote of 128 to 9, with 1 (U.S.) abstention, thereby approving both the construction of 2,001 square meters of additional net usable space to expand conference and common services facilities and the construction of the three office buildings.

International Civil Service Commission

As in previous years, the International Civil Service Commission (ICSC) held two sessions in 1979: the ninth and tenth, both at UN Headquarters in New York, from February 26 to March 16 and from August 13 to 31, respectively. At these two sessions the main subjects the Commission considered were: (a) a comprehensive examination of pensionable remuneration and pension entitlements as elements of total remuneration for UN staff;⁸ (b) questions relating to the "Noblemaire comparison"⁹ between UN remuneration and that of the U.S. Civil Service, which is the comparator service; and (c) questions pertaining to the long-term functions of the Commission, such as career development and common job classification standards.¹⁰

The annual report of the ICSC was considered by the Fifth Committee at 6 meetings between November 6 and 28. Of chief interest to the United States were those actions taken to put a brake on ballooning personnel costs and in rationalizing the UN personnel system. The U.S. Representative, speaking in the Fifth Committee on

⁸ Members, who serve in their personal capacities, are appointed by the General Assembly for 4-year terms. Mrs. Ersa Poston, Assistant Commissioner, U.S. Merit Systems Protection Board, was a member in 1979.

⁹ The Noblemaire principle, adopted by the League of Nations and subsequently by the United Nations, states that in order to attract qualified candidates for an international civil service, it must pay emoluments at least equal to that of the civil service, of the highest paying member country, the so-called comparator service.

¹⁰ For the Commission's in-depth consideration of UN pension matters, see p. 339.

November 13, paid tribute to the work of the ICSC, asserting that the success of the UN system itself "will be influenced by whether a strong, viable, independent International Civil Service Commission functions effectively." Earlier he had reminded Fifth Committee members that the United States strongly supported "the true application of the 'Noblemaire Principle,' which means that all aspects of UN salary system should be based on the comparator civil service system, which presently is and has been the U.S. Civil Service salary system."

OMNIBUS RESOLUTION

The Federal Republic of Germany, on behalf of 17 other member states, introduced a resolution which was approved by the Fifth Committee on November 28 by a vote of 88 (U.S.) to 0, with 3 abstentions. Resolution 34/165 was adopted by plenary Assembly on December 17 by a vote of 133 to 0, with 0 abstentions. The resolution consisted of three separate considerations.

(1). *Post Adjustment Allowances.* The resolution requested the Commission to make a "fundamental and comprehensive review of the purposes and operation of the post adjustment system." These allowances supplement UN base salaries and are intended to maintain purchasing power equivalence of the staff's net remuneration at all locations and over time in relation to the base city, New York, and the base date, November 1974.

The United States viewed the operation of the post adjustment system as a chief contributor to the excessive gap between salaries of senior UN officials and those of equivalent grade in the U.S. Civil Service. The U.S. Representative thought that a moratorium should be placed on further post adjustment increases for senior UN positions, pending further study by the ICSC. Mr. Saddler stressed that U.S. concern was chiefly at the senior level; at the middle and junior grades, the Noblemaire principle of comparability with the comparator civil service was generally observed. He paid particular tribute to the ICSC in completing its work on equivalencies between the professional grades of the UN service and the U.S. civil service-equivalencies adopted by the General Assembly, and its work in suggesting tentative equivalencies between higher grades of the UN service and those of the U.S. civil service. A U.S. proposal to place a moratorium on post adjustment increases was not pressed to a vote when it became clear that Committee members, while in favor of the proposed study of post adjustment, were uncertain as to the results such a step would have on UN staff in varying locations.

(2). *Repatriation Grants.* The resolution terminated payment of

repatriation grants as of January 1, 1980, except for those staff members who, upon retirement or resignation, could produce evidence of settlement outside the country of their duty station. The 33rd General Assembly had decided that "payment of the repatriation grant to entitled staff members shall be made conditional upon the presentation by the staff member of evidence of actual relocation, subject to the terms to be established by the Commission." In its 1979 spring meeting, the ICSC had interpreted this mandate by deciding that the restriction apply only to entitlements accruing after the date the rule was changed but not to those entitlements previously earned by staff members. The provision in the omnibus resolution was introduced in the Fifth Committee but withdrawn by the sponsors at the 62nd meeting. It was reintroduced by the United States and approved by a vote of 59 (U.S.) to 5, with 24 abstentions. That section of the resolution was then approved by the Fifth Committee by a vote of 87 (U.S.) to 0, with 3 abstentions.

(3). *Reimbursement for income taxes on lump-sum payments.* The resolution provided that such taxes would not be reimbursed to employees hired after January 1, 1980. The UN pension system permits retiring employees to take a one-third cash settlement of their pensions with a reduced annual annuity. The United States opposes the concept of reimbursing employees for national taxes on such cash settlements and continues to do so even though the UN Administrative Tribunal in February 1979 decided that these reimbursement payments were allowable. The Tribunal's position was that the pertinent regulations were broad enough to allow such payments, and since the payments had been made for many years, they had become an acquired right of employees. In the U.S. view, the General Assembly action in the omnibus resolution was only partially satisfactory, but it did recognize the force of the U.S. position.

ICSC CHAIRMANSHIP

The Chairman of the ICSC, Raul Quijano of Argentina, had resigned, to be effective from the end of the 10th session of the ICSC (August 31, 1979). The Secretary General was unable to complete consultations relating to the appointment of a new Chairman and stated that he intended to submit recommendations to the 35th General Assembly. In the interim, after consulting with the Advisory Committee on Administrative and Budgetary Questions, he proposed that the Vice Chairman, Richard M. Akwei of Ghana, serve as Acting Chairman. The proposal was adopted by the Fifth Committee on December 19 without objection and by the General Assembly in plenary session on December 20 without vote. (Decision 34/325.)

Personnel Questions

The Fifth Committee of the 34th General Assembly considered the agenda item on personnel questions at 19 meetings between October 22 and December 17, approving two resolutions that were subsequently adopted by the Assembly in plenary session on December 20.

COMPOSITION OF THE SECRETARIAT

The first of these resolutions was concerned primarily with the geographic composition of the UN Secretariat. Article 101 (3) of the UN Charter says:

The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of security and the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

To distribute professional positions, the UN Secretariat has developed a system of "desirable ranges" for employing nationals of each member state, accounting for the factors of UN membership, assessed financial contributions to the organization, and population. Over the years, the weight accorded each of these factors has varied, with membership becoming more important and contributions less so. The current formula provides for a weight of about 66% to contributions, 25% to membership, and 9% to population and sets a minimum range of two to seven posts for those members paying the minimum assessment of .01%. Under this formulation, the United States has a desirable range of 382-517 posts. (During 1979, U.S. incumbency fluctuated at about the ceiling figures.)

On November 9 India, on behalf of the Group of 77 (the developing countries), introduced a draft resolution that called for a series of studies by the Secretary General on different ways to determine the "desirable ranges," including, *inter alia*, (1) equal weight to membership and contributions (i.e., about 45.5% for each with 9% for population); (2) 50% to membership (i.e., reducing contributions to about 41%); (3) increasing the minimum range of positions (for example, from two to seven to three to eight, though the increase was not specified); (4) removing the upper limit for developing country members; and (5) imposing a ceiling on using contributions as a factor.

The United States joined with eight other developed countries to introduce an amendment to the Indian draft to remove those biased provisions and called instead for a study of the composition of the Secretariat "in the light of the primacy of article 101 of the UN Charter." This study would outline "the criteria which, in the

Secretary General's considered view, might be utilized in determining the system of desirable ranges of representation." This amendment was defeated in the Committee on November 23 by a recorded vote of 31 (U.S.) to 83, with 1 abstention. The G-77 draft was then adopted by a recorded vote of 86 to 29 (U.S.), with 2 abstentions. The recorded vote in the plenary Assembly was 101 to 33 (U.S.), with 1 abstention. (Resolution 34/219.)

In explaining the U.S. negative vote in the Fifth Committee, the U.S. Representative, Mr. Saddler, stated on November 26 that "we cannot support any study . . . that so blatantly prejudices the determination of the composition of the Secretariat to the detriment of those states on whom the Organization relies for its financial and other resources. We continue to believe that the paramount criteria for selecting UN employees must be efficiency, competence, and integrity as set out in article 101 (3)."

STAFF ACCESS TO UN LEGISLATIVE BODIES

Among the documents before the Fifth Committee were communications from the President of the Staff Committee at UN Headquarters and from the Federation of International Civil Servants Associations (FICSA), both seeking greater interaction between UN staff and representatives of member governments in the Fifth Committee and other UN bodies. The staff representatives sought, in general, the right to address Committee meetings, respond to questions from member states, and negotiate, as appropriate, with respect to conditions of service.

However, most member states, including the United States, believed that such direct contact should be restricted and that the Secretary General, as chief administrative officer of the United Nations, should be the channel through which staff concerns were expressed.

On December 12 two draft resolutions were introduced which did not vary greatly from each other. The first sponsored by a group of six states; the second by 13 states, including the United States. By a recorded vote of 51 (U.S.) to 19, with 17 abstentions, the Committee decided to give voting priority to the 13-power draft, which was then approved by a vote of 68 (U.S.) to 11, with 11 abstentions. Resolution 34/220 was adopted by the plenary Assembly on December 20 by a recorded vote of 120 (U.S.) to 0, with 17 abstentions.

In this resolution, the Assembly (1) reaffirmed the responsibility and authority of the Secretary General as the Chief Administrative Officer of the United Nations; (2) expressed readiness to receive through the Secretary General and consider fully the views of the staff as set out in a single document by individually recognized

representatives of the UN Secretariat staff and of FICSA; (3) requested the Secretary General to submit at the next Assembly a report on the various forms of staff participation in consultative bodies of the UN system dealing with matters of direct concern to personnel; and (4) expressed its disposition to consider, as appropriate, other forms of communication between the staff and the Fifth Committee.

UN Pension System

The Fifth Committee of the 34th General Assembly considered the UN pension system at nine meetings between November 27 and December 12, 1979, and recommended two resolutions that were subsequently adopted by the General Assembly.

REPORT OF THE UN JOINT STAFF PENSION BOARD

The Joint Staff Pension Board (JSPB) held its 25th session in Manila in July 1979.¹¹ The principal items considered were proposals for changes in the methods used to calculate pension entitlements, operation of the Pension Fund during 1978, the report of the Board of Auditors, and recommendations for changes in Pension Fund regulations. The Board held a special session at New York from October 3 to 5 to consider that portion of the International Civil Service Commission report concerned with calculating pension entitlements.

The report of the JSPB, together with the reports of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and relevant portions of the ICSC report, were considered by the Fifth Committee at nine meetings between November 28 and December 12. Of chief interest to the United States were the issues of interim measures and pensionable remuneration.

In view of the uncompleted work of the ICSC and the JSPB on the issue of pensionable remuneration, it was considered imperative to devise interim measures to preserve the value of pensions of those retiring in 1980 and which could be used until a comprehensive plan could be agreed upon. Again, neither the ICSC nor the JSPB could agree on the content of these measures, and the ACABQ report made a third set of recommendations. The basic difference had to do with their cost to the United Nations and the number of retiring staff that would be helped by the particular measures. The ACABQ recommendations were included in the Fifth Committee draft resolution

¹¹ The Joint Staff Pension Fund was established in 1949. Thirteen UN organizations now participate in the Fund, which is administered by the Joint Staff Pension Board. Sol Kuttner of the United States is a representative. His 3-year term began January 1, 1980.

approving the JSPB report but were voted on separately in plenary session on December 20 by a recorded vote of 121 to 10 (U.S.), with 3 abstentions. It is estimated that the interim measures will affect some 250 of the 1,000 professional staff expected to retire in 1980. The resolution made clear that the interim measures did not extend beyond 1980.

Speaking before the Fifth Committee on December 11, Mr. Saddler explained the U.S. opposition to the interim measures as follows:

. . . The basic reasoning behind our opposition to both interim proposals is that we believe that if any new system of pensionable remuneration is adopted it should be a scheme which will correct for all current and future retirees, for professional and general service staff, those abnormalities in the United Nations pension system brought about by the economic and monetary problems existing in the world today. The schemes that have been put forward cover relatively few individuals and are very expensive. . . .

. . . In the view of my Delegation, it would be preferable for the Fifth Committee to recognize the difficulties faced, to admit that a proper solution has not yet been devised and leave it to the International Civil Service Commission and the Pension Board to continue their work in 1980 in order to devise a universal scheme covering all present and future pensions.

Rejected on December 12 by a vote of 73 to 11, with 21 abstentions, was an oral amendment by the United States that would have decided that the UN Joint Staff Pension Fund "shall not implement in 1980 any interim measures."

Pensions in the UN common system are calculated on the basis of pensionable remuneration, which is the gross base salary of the employee plus a percentage of the post adjustment allowance (cost of living) calculated according to a formula called the Weighted Average of Post Adjustment (WAPA). The formula is complicated because through it the United Nations attempts to establish equality worldwide in the real value of UN pensions.

Owing to continuing inflation and wide currency fluctuations, there is a general view that the method for calculating pensions for the UN staff needs revision. The 33rd General Assembly has asked the ICSC and the JSPB, jointly, to devise a new methodology and to report to the 34th General Assembly. The two bodies were unable to come to an agreed position. The issue is whether there should be an overall reform of the pension system to give pensioners different amounts, depending on the cost of living of the country in which they retire, with the amount of the pension set as a ratio of the total pay they received during the final years of service, or whether corrective measures should be taken within the framework of the existing system, which gives everyone with the same length of service and final pay the same dollar pension.

INVESTMENT OF THE UN PENSION FUND

The Pension Fund, which serves the UN common system, now has 42,000 participants and assets of over \$1.6 billion. In reviewing the status of the Fund, the Fifth Committee was to consider the report of the Secretary General on investments of the Joint Staff Pension Fund as well as the Joint Staff Pension Board report.

The General Assembly, on December 20, on the recommendation of the Fifth Committee, adopted resolution 34/222 dealing with investment of the UN Pension Fund.

Section A of the resolution, originally sponsored by Cuba and Panama, attracted additions and amendments and eventually gained nine other cosponsors. It reiterated past similar resolutions which attempted to politicize the fund, calling for reinvestment of shares in transnational corporations in developing countries. The resolution was approved by the Fifth Committee December 12 by a vote of 76 to 18 (U.S.), with 4 abstentions. It was adopted by the Assembly in plenary session by a recorded vote of 110 to 21 (U.S.), with 3 abstentions.

The U.S. Representative, voicing objection to the politicizing of the Fund in a statement on December 4 in the Fifth Committee, stated that:

. . . the United States is not opposed to the Pension Fund making investments in any country, developed or developing, so long as the investments are made in conformity with the regulations of the United Nations Joint Staff Pension Fund and the investments are safe, profitable, liquid, and convertible, in addition to following the recommendations of the Investments Committee that has been established for this purpose.

Earlier he had said, "Staff Pension Fund resources exist for only one reason, to benefit the staff of the organization when they retire and not for any other reason."

Section B of the resolution, introduced by Morocco and 16 African cosponsors and approved December 12 by the Fifth Committee without vote, called for a redoubling of efforts to make substantial investments in Africa. The Assembly adopted the resolution by consensus.

Section C of the resolution introduced by the United Kingdom and cosponsored by six other members (including the United States), commended the work of the Secretary General and requested him to "diversify the investments of the Fund in appropriate investments in developing countries whenever this serves the interests of the participants and beneficiaries." The resolution was approved by the Fifth Committee on December 12 by a vote of 40 (U.S.) to 13, with 35 abstentions, and in the Assembly after a recorded vote of 91 (U.S.) to 15, with 28 abstentions.

Employment of Americans

The total number of professional employees serving in posts subject to geographic distribution in the United Nations, and the specialized agencies of which the United States is a member, was 6,551 at the end of 1979. At the end of 1978, the number was 6,465. The number of U.S. nationals was 934 (14.44%) in 1978 and 933 (14.24%) in 1979.

During this period, the number of Americans in the UN Secretariat increased from 505 to 515, but the percentage of Americans decreased from 18.86% to 18.55%. The total number of women professionals in posts subject to geographic distribution in the Secretariat in 1979 was 513, of whom 158 (30.80%) were American.

In the specialized agencies, the percentage of Americans increased in WHO and WMO, remained the same in UPU, FAO, and IAEA, and declined in ICAO, IMCO, ITU, UNESCO, and WIPO. For the most part, changes were minimal, representing the gain or loss of less than 1 percentage point, except for ITU and WIPO.

The number of experts employed by the UN and its other agencies increased from 7,484 at the end of 1978 to 8,407 at the end of 1979. The number of American experts decreased from 622 (8.31%) to 588 (6.99%).

With respect to Americans in senior posts, Bradford Morse was reappointed Administrator of the United Nations Development Program. Henry R. Labouisse retired as Executive Director of UNICEF, and James P. Grant was selected to replace him.

In ICAO, Duane Freer succeeded John Nememever as Chief of Air Navigation, and Daniel Conway was appointed Chief of Personnel.

Melissa Wells, former U.S. Representative on the Economic and Social Council, was appointed as the UNDP Resident Representative in Uganda.

Jerry Chang, Nesim Shallon, and Edward C. White were appointed UNDP Resident Representatives in Paraguay, China, and Mauritania, respectively. Charles Henri LaMunier was named Director of UNDP's Division for Policy Coordination and Procedures.

James Baker, former U.S. Deputy Representative in the Economic and Social Council, was appointed to the post of Principal Officer in the Office of the UN Director General for Development and International Economic Cooperation.

In the UN Fund for Drug Abuse Control, Donnelly Sohlin was appointed Deputy Executive Director.

Appendixes

Appendix 1

Address by Secretary Vance Before the 34th Regular Session of the UN General Assembly

UNITED NATIONS: COMMON NEEDS IN A DIVERSE WORLD

Address before the 34th session of the U.N. General Assembly in New York on September 24, 1979.

We meet in this General Assembly on the threshold of a new decade. It will be a time of complex challenge—a period in which, more than ever, cooperative endeavors among nations are a matter not only of idealism but of direct self-interest.

The decade now drawing to a close has been characterized by rapid change—far-reaching and fundamental.

- Awesome technological developments are all about us.
- The assertion of national independence has reshaped the political geography of our planet.
- Within nations, we see an accelerating rise in individual economic, political, and social expectations.
- The unrelenting hostility of the cold war has given way to a more complex relationship between East and West, with elements of both competition and cooperation.
- The simple notion of a bipolar world has become obsolete. Increasingly there is a profusion of different systems and

allegiances and a diffusion of political and military power.

- The world economic order is also undergoing inexorable transformations. Many nations, formerly among the disadvantaged, now are achieving global economic power. Economic interdependence has become a daily reality for the citizens of every nation.

These sweeping changes have, for the most part, worked in constructive directions—changing lives for the better and opening new possibilities for collective effort and creative diplomacy.

But while these developments demonstrate that progress is possible, they by no means demonstrate that it is inevitable. I say this for two reasons.

First, in a number of areas, the pace of current progress is dwarfed by the scope of coming challenges. The next decade will decide whether we have the collective wisdom and the common will to surmount a series of imposing and inter-related problems which must be dealt with in a comprehensive manner.

- The need to develop new forms of energy will pose a continuing challenge. We have entered the difficult transition from a petroleum economy to one based on other forms of energy.

- Even without this added burden, we face an imposing task in providing for the basic needs of people and in narrowing the combustible disparity between wealth and despair. The food shortage facing developing countries, for example, was 12 million tons in 1975. It could be 70-85 million tons by 1990, unless productivity rises sharply.

- We must strike a decent balance between the burgeoning demands of more people for a better life and the inescapable reality of a fragile environment.

- Such prospects carry the seeds of future discord. As these seeds ripen, and the growth and spread of weapons continue, regional conflicts become all the more dangerous—in their toll of lives and resources and in the heightened risk of wider confrontation.

- And despite our emergence from the days of unrelenting hostility, the East-West relationship can deteriorate dangerously whenever one side fails to respect the security interests of the other.

Our ability to meet these tests depends on a second issue: Will we confront such challenges together and benefit together? Or will we let adversity divide us and thus conquer? I must be frank to say that I am not sure what the answer will be.

There are some reasons for encouragement. In recent years, the nations here represented have found it easier, in many different forums, to talk with each other rather than at each other.

East and West have entered into the broadest arms control agenda in history. The Soviet Union and the United States have negotiated significant limitations on strategic arms in a treaty that now awaits ratification.

North and South have made progress on financial, trade, and commodity issues—far more progress than has been acknowledged. Agreement has been reached on a sharp increase in the resources of the International Monetary Fund. Lending by the multilateral development banks has increased. Expanded trade opportunities have been opened by the recently concluded trade

negotiations. We have moved ahead on other matters such as international debt and a common fund for commodities. We should recognize such progress and build on it.

We have taken steps as well toward the resolution of some deeply imbedded regional disputes.

But I am concerned that there are also factors at work which could reverse this cooperative trend. The severity of the problems we face could drive nations to the pursuit of their own separate advantage at the expense of international cooperation. In times of economic trouble, even relatively prosperous countries find it more difficult to look beyond their internal concerns to meet international needs. Indeed, it is a vivid lesson of history that hardship can breed short-sighted insularity. It can arouse instincts for self-preservation at the expense of others. In such times, the voices of economic nationalism will be raised in all our countries. We must resist them.

We must resist, as well, the voices of international confrontation. In a number of international negotiations, political as well as economic, we have worked our way through to the toughest issues involved. We must not react now in frustration and unleash a spiral of rhetoric which can deepen rather than resolve our divisions.

The challenges of the 1980's can be met if each of us here represented meets the responsibilities we share.

SEARCH FOR PEACE

Our first responsibility is to persist in the search for peace, to reduce both the danger and the destructiveness of war.

The future of two regions—the Middle East and southern Africa—depends on specific decisions that will be made in the coming months.

Middle East. We believe the March 26, 1979, treaty between Egypt and Israel has reduced the dangers inherent in the Arab-Israeli conflict and has laid

the foundation for a settlement that can be both durable and just.

But the dramatic achievement of peace between Israel and Egypt and the successful implementation of the first phases of the Treaty of Peace have not obscured the necessity to move toward peace between Israel and its other neighbors. Indeed, it remains the resolute view of my government that further progress toward an overall peace is essential.

We know that an ultimate settlement must address the legitimate rights of the Palestinian people. The Palestinian question must be resolved in all of its aspects.

As the peace process continues to unfold, it is our deepest desire that representatives of the Palestinian people and the Governments of Jordan and Syria will join in this great quest. This is consistent with, indeed it underscores, our unshakable commitment to Israel's security and well-being, now and in the future.

None of the parties involved in this difficult negotiation has any illusions that resolving the Palestinian issue will be easy. But the United States is convinced that progress will be made toward this goal.

Preserving the integrity of Lebanon is also critical to peace in the Middle East. There is now a cease-fire in southern Lebanon, the fragility of which is underscored by the events of today. We need not only a cease-fire but a broader truce. We will be working toward such a goal in our discussions with other interested governments here at this Assembly. Lebanon has suffered all too much.

The desire for peace is shared by all the peoples of the Middle East. We recognize that there are disagreements about how best to reach that common goal. We believe the course on which we are embarked is the right one, indeed the only one that has shown practical results. We call on all who genuinely seek peace to join us in this endeavor.

Southern Africa. A step toward peace has been taken as well on the Rhodesian conflict. The parties are now en-

gaged in negotiation toward a solution that could combine true majority rule with essential minority rights. The British Government, the Commonwealth nations, and the parties themselves deserve great credit for this new step. Agreement on a fair constitution and new elections, as called for in the Lusaka communique, could end the deepening agony of war.

We have made substantial progress in Namibia. But obstacles remain. The contact group [Canada, France, West Germany, United Kingdom, United States] is working with the parties concerned to find ways to resolve the few outstanding issues. We do not understate the difficulties, but neither should any of us underestimate the opportunities that a settlement would bring for all of southern Africa.

In most negotiations, we can best make progress by stages. A knot can never be untied from the inside. We must begin with the parts we can grasp and work our way through to the end of the problem. History will judge us severely if we let our opportunities for peace slip away. As negotiations proceed, the issues we address become progressively more difficult. But we must not let future fears or ambitions undermine the progress that has been made.

Terrorism. As we work on these and other conflicts, let us also squarely face the fact that our planet is plagued by those who make war on innocents, as we saw just weeks ago in the tragic death of Lord Mountbatten. We must have greater international cooperation to combat the barbarous practices of the terrorist. The United States strongly supports the basic elements of the draft convention outlawing the taking of hostages. The conclusion of this treaty will contribute to a growing consensus that terrorism will not be tolerated, regardless of the political cause its perpetrators claim to pursue.

Arms Control. Finally, the requirement of peace carries with it an international responsibility to limit the spread and accumulation of arms.

A particular obligation falls to the

largest nuclear powers—the United States and the Soviet Union—to contain the competition in strategic weapons. The SALT II treaty can be a major step toward fulfillment of that obligation.

The goal of strategic stability will be further served if the Soviet Union, Great Britain, and the United States are able to agree on a comprehensive test ban.

As the nuclear superpowers seek the path toward mutual restraint, all nations must also recognize the direct threat to their security from the spread of nuclear weapons. Developments in recent years can bring new impetus to the nonproliferation effort—including progress in the International Nuclear Fuel Cycle Evaluation, which can help us find safer ways to develop nuclear energy for humanity; the strengthening of International Atomic Energy Agency safeguards; the substantial increase in the number of parties to the Nonproliferation Treaty (NPT); the entry into force of the treaty of Tlatelolco, which now finally appears within grasp; and the pledge by a number of nuclear powers, under specific circumstances, to refrain from the use of nuclear weapons against nonnuclear states. But there have also been serious setbacks—further demonstrations of intent to acquire nuclear weapons, in disregard of the inherent dangers for regional and international security. The NPT review conference next year will be a critical time for taking stock and for redoubling our efforts to make progress on this urgent international priority.

Economic Nationalism

Beyond the search for peace, a second responsibility we share is to be sensitive to the international consequences of our national economic decisions and resist the temptation to solve our economic problems at the expense of others.

The imprudence of economic nationalism has been harshly demonstrated in the past. The world depression a half century ago was spread, deepened, and

prolonged by a wave of protectionism. That memory has spurred us toward a new multilateral trade agreement intended to open markets and keep them open, even in a time of economic strain.

Today, let me address one of those issues which most clearly reflect the direct connection between national decisions and global consequences. That issue is energy. In almost no area is the need for common action more apparent or more urgent. It is an issue which now threatens to divide us, economically and politically. In a future of greater scarcity, these divisions could weaken the fabric of international comity which this Organization embodies.

All nations will suffer if all nations do not act responsibly—in their consumption of energy, in its pricing, and in its production. Despite a difficult prognosis for our energy future, I believe the basis may exist for progress.

Until the 1970's modern industrial economies operated on two basic assumptions, which also governed relations between oil importers and exporters—that oil was cheap and that supplies were unlimited. Now all nations realize that these assumptions no longer hold.

The commitments made by the major industrial countries at the Tokyo summit demonstrate this clearly. My government is taking ambitious action to address the energy problem and is making efforts to exceed these commitments.

- President Carter has committed the United States not to import more than 8.2 million barrels of oil a day in 1979 and never to exceed the peak level our imports reached in 1977.

- Total U.S. energy research and development this year is \$3.2 billion. We are investing \$528 million this year—and \$600 million next year—in the development and use of solar energy.

- We are significantly expanding our development of synthetic fuels to take advantage of the abundant coal and oil shale supplies in our country.

Much of this new energy technology will have application in other countries

as well. We will seek to make it available to others under mutually satisfactory conditions, for we recognize that by helping others resolve their energy problems, we help resolve our own.

Let me indicate some of the ways in which we are prepared to work with others to meet our common energy needs.

- We have joined other industrial nations in agreeing to establish a provisional international technology group which will recommend ways to broaden international participation in the commercial development of alternative fuels.

- I pledged last year that the United States would do more to mobilize its technical talents in behalf of the development of others. I am pleased to report that next month we will establish an institute for scientific and technological cooperation. This institute will work for the goals set by the U.N. Conference on Science and Technology for Development. It will help the people of developing nations benefit from our technologies—and help them expand their own technological capacities. The institute's policy council will include experts from developing nations. Energy development will be among its highest priorities.

- We will participate actively in preparations for the 1981 World Conference on New and Renewable Energy.

- At the recent economic summit conference, the World Bank was invited to take the lead in coordinating our assistance to developing nations in the field of energy. We suggest that the World Bank bring together a group of experts to review the question of energy research, development, and training in detail. Specifically, it could evaluate the work of existing energy research and training centers, both national and international, in developing countries. In addition, it could recommend how current institutions could be strengthened and whether new multilateral ones should be created.

- We are supporting expansion of the World Bank's program for exploration

and development of mineral fuels.

- The Bank is also considering whether local programs of development finance are adequate to support the rapid application of solar, small hydro, and other renewable energy technologies in developing nations.

- The Inter-American Development Bank has proposed creation of a facility to provide political risk insurance and loan guarantees for private investment in energy and minerals projects in its region. This could be an effective means of stimulating energy development there. We are willing to pursue with the Bank its initiative and work with other countries to develop an acceptable proposal.

As the industrial countries make serious efforts to restrict oil demand and to help the developing countries meet their energy challenges, the question increasingly becomes whether the oil-producing nations are prepared to stabilize prices and, to the extent it is within their control, insure adequate supplies. A failure to do so will continue to have harsh consequences for the world economy, especially the poorer nations.

We understand the natural desire of oil-exporting nations to husband this valuable resource for future generations. And we accept the fact that oil prices must reflect not only the strength of demand but also the long-term scarcity of supply—so long as scarcity is never contrived to manipulate price.

But oil producers must understand that there is a limit to what the economies of the oil-consuming nations, and the global economy, can sustain. We must all proceed with a responsible recognition that our national energy decisions will have profound global effects—and will return either to haunt or to help their makers.

Commitment to Human Welfare

A third common responsibility is an intensified commitment to help improve the lives of our fellow human beings—to provide the necessities of life, to afford

the chance to progress, to assure a voice in decisions which will determine their future.

Human Rights. We have made progress in the field of human rights, but we must do more.

In the past year, some nations have taken steps to restore legal protections and democratic institutions. And we have seen the inauguration of an Inter-American Court of Human Rights, the Organization of African Unity's forceful call for the creation of regional human rights institutions on the continent of Africa, and the activation of the U.N. Educational, Scientific and Cultural Organization's human rights procedures.

The growing concern for human rights is undeniable. Yet the sad truth is that even as we sit here today, men and women face torture, death, and oppression for daring to exercise rights set forth in the charter of this body three decades ago. Our joint challenge is to advance the aspirations of all peoples for individual human dignity.

Our commitment must be to economic as well as political and social rights—for all are indispensable to human dignity. Improvements in economic well-being, opportunities for participation in the political process, and a growing sense of both economic and political equity can do much to defuse the grievances which can lead to national convulsions and international tensions.

Food and Population. To meet this commitment to a better life for all peoples, we must each strive to move the North-South dialogue beyond grand themes and on to specific cases—to priority areas in which practical development goals can be met. Let me discuss in this connection our efforts toward a goal we should adopt as a matter of simple humanity: that by the end of this century, no person on this bountiful earth should have to go hungry.

Last year, I noted that we must not be lulled by good weather and plentiful harvests into losing our sense of urgency. Since then, poor harvests in a number of countries have substantially

increased the international demand for food. This situation underscores the need to accumulate adequate stocks to support world food security. I assure you that the United States will do all it can to prevent a global food crisis.

The American harvest this year will be of record size. We have removed all restrictions on wheat production for next year. We have established farmer-owned grain reserves which, through accumulation and release of stocks, have helped stabilize supplies.

An International Wheat Agreement still eludes our grasp. We should not abandon this goal. But we should move immediately to complete negotiations for a new food aid convention; the World Food Council has urged an agreement by mid-1980. We support that recommendation. In the meantime we are already implementing the higher food aid pledge the convention would entail.

At the same time, major emphasis must be placed on improving global food production. Over half of American direct development aid now is devoted to agriculture. We will continue working to improve the yields of major food crops, to preserve croplands, and to expand research on ways to increase production of traditional and new crops, especially those grown by poor farmers.

These efforts have received effective support from the international agricultural research centers. We support proposals to double the resources contributed to those centers and intend to increase our contribution. We hope additional countries will become contributors.

We must be aware, however, that in the long run these efforts could be vitiated if the world's population is not slowed. Half the couples of child-bearing age still do not have adequate access to family planning services. We must strive to make family planning services—along with other elements of basic health care, adequate food supplies, and clean water—available to all as rapidly as we can.

And in the short run, we must be prepared to meet emergency needs wherever famine afflicts humanity or refugees seek

haven—in Africa, in Latin America, in Southeast Asia, or elsewhere.

Refugees. The proposal made by Vice President Mondale at Geneva for a refugee resettlement fund reflects our belief that the international community should deal on a global basis with a global and grave refugee crisis. We urge broad participation in this fund.

Vigorous and large-scale international action is required to bring relief to the starving in Kampuchea, now facing one of the great human tragedies of modern times. Tens of thousands of sick and hungry Khmer are already pressing on Thailand's border; hundreds of thousands may soon follow them. Even more widespread famine and disease are in prospect, especially in view of recent reports of intensified fighting. To avert unthinkable catastrophe, an international program of humanitarian relief must be established in Kampuchea as soon as possible. International organizations must be able to bring a coordinated, massive, and adequately monitored program of emergency relief to all needy Khmer. We would endorse such an effort.

The food crisis in Kampuchea promises both to multiply the flow of refugees and to take a terrible toll among those who cannot escape. The flood of refugees from Vietnam, Laos, and Kampuchea already has brought great suffering to hundreds of thousands of innocent people, as well as heavy burdens on countries of first asylum.

The international community has begun to respond. But humanitarian steps are not enough. The community of nations must make a more active effort to restore peace to the region and to resolve, by nonmilitary means, the problems that developments in Indochina have carried in their wake. They pose a threat to the stability of the region as a whole.

Demand for Global Responses

I believe we can meet the challenges before us. But let us not misjudge their

magnitude. Resolution of regional disputes and placing new limits on the instruments of war will require new acts of national and international will. The 1980's could portend a prolonged energy crisis. It could be a decade of widespread famine. Unless the swelling deficits of developing countries can be managed, many of their economies may stagnate; some could be threatened with collapse. Global problems like these demand global responses.

This Assembly will decide whether to launch a new round of negotiations on economic cooperation for development. Let me state today that the United States would participate, in the Committee of the Whole, in consultations to decide the most effective way of conducting such negotiations.

If new global negotiations are to succeed, their participants must be realistic about the political and economic capabilities of each other. We must assign priority to those issues on which concrete results are possible. And we should avoid duplicating the work of existing institutions. In this way, the negotiations could help build a global consensus for action.

Many of the issues I have addressed are already prominent on the agenda of the United Nations. The need for cooperation in addressing them requires that we continue to strengthen this institution. Financial, procedural, and management reforms are urgently necessary. As a first step, we urge that the Secretary General's recommendations, now adopted by this Assembly, be fully implemented.

The urgency of the requirements I have described calls for something more on the part of all members of the United Nations.

The distinctions between North and South, as those between East and West, reflect differing interests. They have a role in defining the issues and in clarifying our choices. But we must commit ourselves to finding areas where our interests converge.

Each of us has our special values to be

nurtured, our particular goals to be served. I do not suggest it can or should be otherwise. The United States believes in a world of diversity. But let us

resolve, here, at this Assembly, to find in our common needs and common humanity a renewed dedication to the search for common ground.

Appendix 2

Principal Organs of the United Nations

GENERAL ASSEMBLY

The General Assembly is composed of all 152 UN members.

Afghanistan	Cyprus	Iran
Albania	Czechoslovakia	Iraq
Algeria	Denmark	Ireland
Angola	Djibouti	Israel
Argentina	Dominica	Italy
Australia	Dominican Republic	Ivory Coast
Austria	Ecuador	Jamaica
Bahamas	Egypt	Japan
Bahrain	El Salvador	Jordan
Bangladesh	Equatorial Guinea	Kampuchea
Barbados	Ethiopia	Kenya
Belgium	Fiji	Kuwait
Benin	Finland	Laos
Bhutan	France	Lebanon
Bolivia	Gabon	Lesotho
Botswana	Gambia	Liberia
Brazil	German Democratic	Libya
Bulgaria	Republic	Luxembourg
Burma	Germany, Federal	Madagascar
Burundi	Republic of	Malawi
Byelorussian S.S.R.	Ghana	Malaysia
Cameroon	Greece	Maldives
Canada	Grenada	Mali
Cape Verde	Guatemala	Malta
Central African Republic	Guinea	Mauritania
Chad	Guinea-Bissau	Mauritius
Chile	Guyana	Mexico
China	Haiti	Mongolia
Colombia	Honduras	Morocco
Comoros	Hungary	Mozambique
Congo	Iceland	Nepal
Costa Rica	India	Netherlands
Cuba	Indonesia	New Zealand

Nicaragua	Saudi Arabia	Tunisia
Niger	Senegal	Turkey
Nigeria	Seychelles	Uganda
Norway	Sierre Leone	Ukrainian S.S.R.
Oman	Singapore	U.S.S.R.
Pakistan	Solomon Islands	United Arab Emirates
Panama	Somalia	United Kingdom
Papua New Guinea	South Africa	United States
Paraguay	Spain	Upper Volta
Peru	Sri Lanka	Uruguay
Philippines	Sudan	Venezuela
Poland	Suriname	Vietnam
Portugal	Swaziland	Yemen (Aden)
Qatar	Sweden	Yemen (Sanaa)
Romania	Syria	Yugoslavia
Rwanda	Tanzania	Zaire
Saint Lucia	Thailand	Zambia
Samoa	Togo	
Sao Tome and Principe	Trinidad and Tobago	

The 34th session of the General Assembly convened September 18, and was suspended on Dec. 20, 1979. The session was reconvened on Dec. 27 and was finally adjourned on Jan. 7, 1980. The Assembly elected Salim A. Salim (Tanzania) as President and the chairmen of the delegations of Byelorussian S.S.R., Cameroon, China, Costa Rica, Cyprus, Ethiopia, France, Guyana, Iceland, Lesotho, Pakistan, Panama, Papua New Guinea, Singapore, Somalia, Togo, Turkey, U.S.S.R., United Kingdom, United States, and Yemen (Sanaa) as the 21 Vice Presidents.

The chairmen of the seven main committees, on which each member may be represented, were:

- First (Political and Security)—Davidson L. Hepburn (Bahamas)
- Special Political—Hammond El-Choufi (Syria)
- Second (Economic and Financial)—Costin Murgescu (Romania)
- Third (Social, Humanitarian, and Cultural)—Samir Sobhy (Egypt)
- Fourth (Decolonization)—Thomas S. Boya (Benin)
- Fifth (Administrative and Budgetary)—Andre Xavier Pirson (Belgium)
- Sixth (Legal)—Pracha Guna-Kasem (Thailand)

SECURITY COUNCIL

The Security Council is composed of 5 members designated in the Charter as permanent and 10 members elected by the General Assembly for 2-year terms ending Dec. 31 of the year given in the heading.

Permanent Members: China, France, U.S.S.R., United Kingdom, United States.

1979: Bolivia, Czechoslovakia, Gabon, Kuwait, Nigeria.

1980: Bangladesh, Jamaica, Norway, Portugal, Zambia.

On the first ballot, Oct. 26, 1979, German Democratic Republic, Niger, Philippines, and Tunisia were elected for a 2-year term beginning Jan. 1, 1980. On the 155th ballot, Jan. 7, 1980, Mexico was elected for a 2-year term, to end Dec. 31, 1981, as do those of the four states elected on Oct. 26.

TRUSTEESHIP COUNCIL

The Trusteeship Council is composed of the United States (as administrator of a territory) and the other four permanent members of the Security Council (China, France, U.S.S.R., United Kingdom).

The Trusteeship Council held its 46th session in New York, May 21-June 15.

ECONOMIC AND SOCIAL COUNCIL

ECOSOC is composed of 54 members elected by the General Assembly for 3-year terms ending Dec. 31 of the year given in the heading.

1978: Afghanistan, Algeria, Austria, Bangladesh, Bolivia, Brazil, Cuba, France, Federal Republic of Germany, Greece, Malaysia, Nigeria, Portugal, Togo, Tunisia, Uganda, Venezuela, Yugoslavia.

1979: Colombia, Iran, Iraq, Italy, Jamaica, Mauritania, Mexico, Netherlands, New Zealand, Philippines, Poland, Rwanda, Somalia, Sudan, Syria, Ukrainian S.S.R., United States, Upper Volta.

1980: Argentina, Cameroon, Central African Republic, China, Dominican Republic, Finland, Hungary, India, Japan, Lesotho, Malta, Romania, Sweden, Tanzania, Trinidad and Tobago, U.S.S.R., United Arab Emirates, United Kingdom.

1981: Algeria, Barbados, Brazil, Cyprus, Ecuador, France, Federal Republic of Germany, German Democratic Republic, Ghana, Indonesia, Ireland, Pakistan, Senegal, Venezuela.

On Oct. 26, 1979, the Assembly reelected Italy, Mexico, and the United States and elected Australia, Bahamas, Belgium, Bulgaria, Chile, Ethiopia, Iraq, Jordan, Libya, Malawi, Nepal, Nigeria, Thailand, Yugoslavia, and Zaire for terms beginning on Jan. 1, 1980.

ECOSOC held its organizational session for 1979 (Feb. 6-9) and its first regular session (April 10-May 11) in New York. It held its second regular session in Geneva (July 3-25) and resumed the second session in New York (Oct. 24-25).

INTERNATIONAL COURT OF JUSTICE

The International Court of Justice consists of 15 members elected by the General Assembly and the Security Council for 9-year terms ending Feb. 5 of the year given in parentheses. Members are listed in order of precedence.

Nagendra Singh (India) (1982)
Isaac Forster (Senegal) (1982)
André Gros (France) (1982)
Manfred Lach (Poland) (1985)
Platon Dmitrievich Morozov (Soviet Union) (1988)
Sir Humphrey Waldock (United Kingdom) (1982)
José María Ruda (Argentina) (1982).
Hermann Mosler (Federal Republic of Germany) (1985)
Taslim O. Elias (Nigeria) (1985)
Salah El Dine Tarazi (Syria) (1985)
Shigeru Oda (Japan) (1985)
Roberto Ago (Italy) (1988)

Abdullah Ali El-Erian (Egypt) (1988)
José Sette Camara (Brazil) (1988)
Richard R. Baxter (United States) (1988)

SECRETARIAT

The Secretariat consists of a Secretary General, who is the chief administrative officer of the organization, and such staff as the organization may require. The Secretary General is appointed by the General Assembly upon the recommendation of the Security Council; the staff is appointed by the Secretary General under regulations established by the General Assembly.

On Dec. 22, 1971, the 26th General Assembly appointed Kurt Waldheim (Austria) Secretary General for a 5-year term beginning Jan. 1, 1972. On Dec. 8, 1976, the 31st Assembly reappointed him for a second 5-year term, ending Dec. 31, 1981.

Appendix 3

United States Missions

U.S. MISSION TO THE UNITED NATIONS, NEW YORK

The United States is represented by a permanent mission at the Headquarters of the United Nations in New York. Under the direction of the U.S. Representative to the United Nations, the mission carries out the instructions of the President, as transmitted by the Secretary of State. It serves as the channel of communications between the U.S. Government and the UN organs, agencies, and commissions at the Headquarters; with the 148 other permanent missions accredited to the United Nations; and with various nonmember observer missions. It is also a base of operations for the U.S. delegations to the General Assembly and to other UN bodies when they meet in New York.

The chief of mission, who has the rank of Ambassador, is the U.S. Representative to the United Nations; he also represents the United States in the Security Council. He is assisted by other persons of appropriate title, rank, and status, who are appointed by the President.

The mission has a staff including specialists in political, economic, social, financial, budgetary, legal, military, public affairs, and administrative matters. In 1979 approximately 140 persons were assigned to the mission by the Department of State and other U.S. Departments and Agencies.

The staff assists the U.S. Representative in such activities as (1) planning the tactical pursuit of U.S. policy objectives in UN organs and bodies; (2) carrying out consultations, negotiation, and liaison with other delegations and the UN Secretariat; (3) preparing policy recommendations to the Department of State; (4) reporting to the Department of State on consultations and developments in the United Nations; (5) discharging U.S. responsibilities as "host government"—in particular those arising from the 1947 Headquarters Agreement between the United States and the United Nations (Public Law 357, 80th Cong.); the International Organizations Immunities Act of 1945, as amended; and the Convention on Privileges and Immunities of the United Nations, which deal, *inter alia*, with relations of the United Nations, its officials, and delegation members with Federal, State, and local authorities; (6) carrying out public affairs activities; and (7) planning and administering conference operations.

U.S. MISSION TO THE EUROPEAN OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS, GENEVA

The United States maintains a permanent mission in Geneva under the direction of a U.S. Representative, with the rank of Ambassador, who is accredited to the Euro-

pean Office of the United Nations and to the UN specialized agencies and other international organizations with headquarters in Geneva. The mission is responsible for the representation of U.S. interests at the UN European headquarters, in UN subsidiary bodies located in Geneva (such as UNCTAD, UNHCR, ECE, and the UN Disaster Relief Office); in the four specialized agencies which have their headquarters in Geneva (WHO, WMO, ITU, and WIPO); and in other international bodies such as GATT, CCD, and the Intergovernmental Committee for European Migration. The mission also maintains liaison, as appropriate, with resident delegations of other nations in Geneva, as well as with a large number of nongovernmental or voluntary organizations involved in humanitarian affairs, such as the International Committee of the Red Cross.

The mission maintains liaison on a continuing basis with the executive heads and members of secretariats of international bodies, reports on developments relating to them, monitors their programs and budgets, and makes policy and program recommendations to the Department of State.

The mission staff includes economic, political, financial, budgetary, scientific, agricultural, health, public affairs, humanitarian, and administrative advisers. In 1979, approximately 141 Americans, including personnel detailed by U.S. Government Departments other than the Department of State, were assigned to the staff and 36 local employees were hired full-time.

The Ambassador often heads or serves as alternate on delegations to large conferences, and other officers of the mission either represent the United States in smaller international meetings or serve on the U.S. delegations to these.

OTHER U.S. MISSIONS

The United States also maintains missions at the headquarters of IAEA in Vienna and UNESCO in Paris and offices of a U.S. Representative at the headquarters of UNIDO in Vienna, FAO in Rome, ICAO in Montreal, and UNEP in Nairobi.

Appendix 4

United States Representatives

Permanent Representative and Chief of U.S. Mission to the United Nations: Andrew J. Young (through Sept. 22); Donald F. McHenry (from Sept. 23)

Deputy Permanent Representative to the United Nations: James F. Leonard, Jr. (through Oct. 10); William J. vanden Heuvel (from Nov. 6)

Deputy Permanent Representative on the Security Council: Donald F. McHenry (through Sept. 22); Richard W. Petree (from Nov. 27)

Representative on the Economic and Social Council: Melissa F. Wells

Alternate Permanent Representative for Special Political Affairs: Richard W. Petree (through Nov. 26); H. Carl McCall (from Dec. 21)

U.S. Representative to the European Office of the United Nations and Other International Organizations: William J. vanden Heuvel (through Nov. 5); Gerald B. Helman (from Dec. 6)

Deputy U.S. Representative to the European Office of the United Nations and Other International Organizations: Roger A. Sorenson (through Oct. 31); Don C. Eller (from Dec. 17)

GENERAL ASSEMBLY

34th regular session (New York, Sept. 18, 1979-Jan. 7, 1980)

Representatives: Donald F. McHenry;¹ William J. vanden Heuvel; Benjamin S. Rosenthal; Larry Winn, Jr.; Esther L. Coopersmith

Alternates: William L. Dunfey; Howard Rosen; Richard W. Petree

UN Scientific Committee on the Effects of Atomic Radiation

28th session (Vienna, June 11-15)

Representative: Robert David Moseley, Jr.

Alternate: Warren K. Sinclair

Committee on the Peaceful Uses of Outer Space

22nd session (New York, June 18-July 3)

Representative: Neil Hosenball

Alternates: Stephen Bond; Theodore Wilkinson

¹ The Secretary of State, Cyrus R. Vance, served as chairman of the delegation, *ex officio*, during his presence at the session.

Committee on Disarmament

(Geneva, Jan. 24–April 13)

Representative: Adrian S. Fisher; George M. Seignious, *ex officio*

Alternate: Charles C. Flowerree

(Geneva, June 12–Aug. 17)

Representative: Adrian S. Fisher

Alternate: Charles C. Flowerree (June 12–July 20)

Alternate: Alexander Akalovsky (July 9–Aug. 17)

Trade and Development Board of UNCTAD

10th special session (Geneva, Mar. 19–27)

Representative: William J. vanden Heuvel

Alternate: Charles F. Meissner

19th session (Geneva, Oct. 8–19)

Representative: Charles F. Meissner

Alternate: Gordon L. Streeb

Special Committee on Peacekeeping Operations

Representative: Robert B. Rosenstock

Industrial Development Board of UNIDO

13th session (Vienna, Apr. 17–May 4)

Representative: John C. Leary

Alternates: Melvin Schuweiler; Susan Steiner

Permanent Representative to UNIDO: John C. Leary

UN Commission on International Trade Law

12th session (Vienna, June 18–29)

Representative: Robert B. Rosenstock

Alternate: Howard Holtzman

Governing Council of UNEP

7th session (Nairobi, Apr. 18–May 14)

Representative: William A. Hayne

Alternate: Wilbert J. LeMelle

Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

(New York, Feb. 19–Mar. 16)

Representative: Robert B. Rosenstock

Alternate: Laurel M. Shea

Committee on Conferences

(New York, Sept. 10–14)

Representative: Theodore J. Papendorp

Alternate: Kathleen B. Anderson

Committee to Review UN Public Information Policies and Activities

(New York, May 29–June 1)

Representative: Richard W. Petree

Alternate: Betty Jane Jones

World Food Council

5th session (Ottawa, Sept. 4)

Representative: Bob Bergland

Ad Hoc Committee on the Drafting of an International Convention Against the
Taking of Hostages

(Geneva, Jan. 29–Feb. 16)

Representative: Robert B. Rosenstock

Alternate: Eric E. Svendsen

Committee of the Whole (COW) Established under General Assembly Resolution
32/174

(New York, Jan. 18–25)

Representative: Robert D. Hormats

Alternate: Melissa F. Wells

(New York, Mar. 19–26)

Representative: Melissa F. Wells

Alternate: Alexander Watson

(New York, May 5–16)

Representative: Donald F. McHenry

Alternates: Joan Spero; Charles Meissner

(New York, Sept. 10–14)

Representative: Robert D. Hormats

Alternate: Marion Creekmore

Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of
Force in International Relations

(New York, Apr. 16–May 11)

Representative: Robert B. Rosenstock

Alternate: Laurel M. Shea

SECURITY COUNCIL

Representative: Andrew J. Young (through Sept. 22); Donald F. McHenry (from Sept. 23)

Deputies: James F. Leonard, Jr. (through Oct. 10); William J. vanden Heuvel (from Nov. 6); Donald F. McHenry (through Sept. 22); Richard W. Petree

Alternates: Betty Jane Jones; Herbert K. Reis

TRUSTEESHIP COUNCIL

Special Session (New York, Feb. 12)

Representative: Richard W. Petree

Alternate: Stoney Cook

46th session (New York, May 21–June 15)

Representative: Richard W. Petree

Alternate: Daniel A. Strasser

ECONOMIC AND SOCIAL COUNCIL

Organizational session for 1979 (New York, Feb. 6-9)

Representative: Melissa F. Wells

Alternate: William J. Stibravy

First regular session, 1979 (New York, Apr. 10-May 11)

Representatives: Andrew J. Young, Melissa F. Wells

Alternates: Koryne K. Horbal; Edward M. Mezvinsky; Ruth S. Morgenthau;
William J. Stibravy

Second regular session, 1979 (Geneva, July 3-25)

Representatives: Donald F. McHenry; Joan Spero

Alternate: Robert Kaufman

Second regular resumed session, 1979 (New York, Oct. 24-25)

Representative: William J. vanden Heuvel

Alternate: James Baker

Commission on Human Rights

35th session (Geneva, Feb. 12-Mar. 16)

Representative: Edward Mezvinsky

Alternates: Warren E. Hewett; William J. vanden Heuvel

Commission on Narcotic Drugs

28th session (Geneva, Feb. 12-23)

Representative: Mathea Falco

Alternates: Peter Bensinger; Louis Cavanaugh; Robert Chasen; George Dalley;
Jean Paul Smith

6th special session (Vienna, Feb. 11-20)

Representative: Mathea Falco

Alternates: Robert Angarola; George C. Corcoran; Edwin G. Corr; Vance Hall;
Dianne Hurley; Roger Kirk; William Lenck; William Pollin

Population Commission

20th session (New York, Jan. 29-Feb. 9)

Representative: Marshall Green

Alternate: Stephen Joseph

Commission on Social Development

26th session (New York, Feb. 20-Mar. 9)

Representative: Ruth S. Morgenthau

Alternate: Robert I. Randolph

Statistical Commission

20th session (New York, Feb. 20-Mar. 2)

Representative: Joseph W. Duncan

Commission on the Status of Women

27th session (New York, Mar. 20-Apr. 5)

Representative: Koryne Horbal

Alternate: Barbara J. Good

Commission on Transnational Corporations

5th session (New York, May 14-25)

Representative: Seymour Rubin

Alternate: Elinor G. Constable

Economic Commission for Africa

14th session (Rabat, Mar. 20-28)

Representative: Richard B. Parker

Alternate: Philip Penninger

Economic Commission for Asia and the Pacific

35th session (Manila, Mar. 5-16)

Representative: Melissa Wells

Alternate: Richard W. Murphy

Economic Commission for Europe

34th session (Geneva, Mar. 27-Apr. 7)

Representative: William J. vanden Heuvel

Alternate: Robert R. Brungart

Economic Commission for Latin America

18th session (La Paz, Apr. 18-26)

Representative: Robert Hormats

Alternates: Melissa Wells, John Bushnell, Paul Boecker

Economic Commission for Western Asia

6th session (Baghdad, Apr. 28-May 5)

Observer: Ryan Crocker

Executive Board of UNICEF

(Mexico, May 16-June 1)

Representative: James P. Grant

Alternate: John J. Hutchings

(New York, June 12)

Representative: Herbert G. Wing

Alternate: Marjorie Craig Benton

Committee on Nongovernmental Organizations

(New York, Feb. 26-Mar. 2)

Representative: William J. Stibravy

Alternate: Brady Tyson

Commission for Program and Coordination

19th session (New York, May 7-June 1 and Sept. 4-7)

Representatives: William J. Stibravy (May 7-June 1); George F. Saddler (Sept. 4-7)

Alternate: George F. Saddler (May 7-June 1)

Committee on Food Aid Policies and Programs

7th session (Rome, May 14-25)

Representative: Kathleen Bitterman

Alternate: John Baker

8th session (Rome, Oct. 22-31)

Representative: Kelly Harrison

Alternates: Robert Chase, Robert Gehring, Edmund Parsons

Executive Committee of the High Commissioner's Program (UNHCR)

(Geneva, Oct. 4-12)

Representative: Dick Clark

Alternate: Stephen Palmer

Governing Council of UNDP

26th session (New York, June 4-July 2)

Representative: Melissa Wells

Alternates: John W. McDonald, William J. Stibravy

Committee on Natural Resources

3rd special session (New York, Mar. 26-30)

Representative: John W. McDonald

Alternates: William L. Long; Robert I. Randolph

6th session (Istanbul, June 5-15)

Representative: John Reinemund

Alternates: Monica Ladd; John F. Simmons

Conference on Science and Technology for Development

(Vienna, Aug. 20-30)

Representatives: Theodore M. Hesburgh, Jean Wilkowski

Alternates: Lucy Benson, Robert N. Nooter, Thomas R. Pickering, Milton A. Wolf

Committee on Review and Appraisal

(Did not meet in 1979)

Committee on an International Agreement on Illicit Payments

1st session (New York, Jan. 29-Feb. 9)

Representative: Frank Willis

2nd session (New York, May 17-18)

Representative: Frank Willis

Commission on Human Settlements

2nd session (Nairobi, March 26-April 6)

Representative: Donald R. King

Alternate: Tilia Maria de Hancock

SPECIALIZED AGENCIES AND IAEA

Food and Agricultural Organization

75th session, FAO Council (Rome, June 11-22)

Delegate: John A. Baker

Alternates: Roger C. Brewin; Martin Kriesberg

Intergovernmental Maritime Consultative Organization

42nd session, IMCO Council (London, May 21-25)

Representative: Constantine Warvariv

Alternate: Robert A. Biller U.S.C.G.

43rd session, IMCO Council (London, Nov. 16)

Representative: Constantine Warvariv

International Bank for Reconstruction and Development

U.S. Governor, Board of Governors: G. William Miller

Alternate U.S. Governor: Richard N. Cooper

U.S. Executive Director: Edward R. Fried

Alternate Executive Director: William P. Dixon

International Civil Aviation Organization

U.S. Representative on ICAO Council and Permanent Representative: John E. Downs

International Development Association

The U.S. Governor, Executive Director, and their Alternates are the same as those of the IBRD.

International Finance Corporation

The U.S. Governor, Executive Director, and their Alternates are the same as those of the IBRD.

International Fund for Agricultural Development

5th session: Executive Board (Rome, March 27-30)

Representative: David Bronheim

International Monetary Fund

U.S. Governor, Board of Governors: G. William Miller

Alternate U.S. Governor: Paul A. Volker (from Sept. 18)

U.S. Executive Director: Sam Y. Cross

Alternate U.S. Executive Director: Donald E. Syvard (from Apr. 26)

International Telecommunication Union

34th session, Administrative Council (Geneva, June 4-22)

Representative: Ruth H. Phillips

Alternates: Dexter Anderson; Arthur L. Freeman

UN Educational, Scientific, and Cultural Organization

U.S. Member, Executive Board: Barbara W. Newell

U.S. Permanent Representative to UNESCO: Barbara W. Newell

Universal Postal Union

18th Congress (Rio de Janeiro, Sept. 12–Oct. 2)

Representative: William F. Bolger

Alternate: H. Edgar S. Stock

World Health Organization

32nd World Health Assembly (Geneva, May 7–25)

Delegates: Joseph A. Califano; Julius B. Richmond, M.D.; John H. Bryant, M.D.

Alternates: Neil A. Boyer; Lee M. Howard, M.D.; William J. vanden Heuvel

World Intellectual Property Organization

10th series of meetings of the governing bodies of WIPO and of the Unions administered by WIPO (Geneva, Sept. 24–Oct. 2)

Representative: Harvey J. Winter

Alternate: Sidney Diamond

World Meteorological Organization

31st session, Executive Committee (Geneva, May 28–June 1)

Representative: George S. Benton

Alternate: Richard E. Hallgren

International Atomic Energy Agency

23rd General Conference (Vienna, Nov. 16–Dec. 7)

Representative: Gerard C. Smith

Alternate: Roger Kirk

Appendix 5

Scale of Assessments for the Apportionment of the Expenses of the United Nations

The scale of assessments for the contributions of member states to the United Nations budget for the financial years 1980, 1981, and 1982 will be as follows:

Member State	Percent	Member State	Percent
Afghanistan	0.01	Cuba	0.11
Albania	0.01	Cyprus	0.01
Algeria	0.12	Czechoslovakia	0.83
Angola	0.01	Denmark	0.74
Argentina	0.78	Djibouti	0.01
Australia	1.83	Dominica	0.01
Austria	0.71	Dominican Republic	0.03
Bahamas	0.01	Ecuador	0.02
Bahrain	0.01	Egypt	0.07
Bangladesh	0.04	El Salvador	0.01
Barbados	0.01	Equatorial Guinea	0.01
Belgium	1.22	Ethiopia	0.01
Benin	0.01	Fiji	0.01
Bhutan	0.01	Finland	0.48
Bolivia	0.01	France	6.26
Botswana	0.01	Gabon	0.02
Brazil	1.27	Gambia	0.01
Bulgaria	0.16	German Democratic	
Burma	0.01	Republic	1.39
Burundi	0.01	Germany, Federal	
Byelorussian S.S.R.	0.39	Republic of	8.31
Cameroon	0.01	Ghana	0.03
Canada	3.28	Greece	0.35
Cape Verde	0.01	Grenada	0.01
Central African Republic	0.01	Guatemala	0.02
Chad	0.01	Guinea	0.01
Chile	0.07	Guinea-Bissau	0.01
China	1.62	Guyana	0.01
Colombia	0.11	Haiti	0.01
Comoros	0.01	Honduras	0.01
Congo	0.01	Hungary	0.33
Costa Rica	0.02	Iceland	0.03

Member State	Percent	Member State	Percent
India	0.60	Philippines	0.10
Indonesia	0.16	Poland	1.24
Iran	0.65	Portugal	0.19
Iraq	0.12	Qatar	0.03
Ireland	0.16	Romania	0.21
Israel	0.25	Rwanda	0.01
Italy	3.45	Samoa	0.01
Ivory Coast	0.03	Sao Tome and Principe	0.01
Jamaica	0.02	Saudi Arabia	0.58
Japan	9.58	Senegal	0.01
Jordan	0.01	Seychelles	0.01
Kampuchea	0.01	Sierra Leone	0.01
Kenya	0.01	Singapore	0.08
Kuwait	0.20	Solomon Islands	0.01
Laos	0.01	Somalia	0.01
Lebanon	0.03	South Africa	0.42
Lesotho	0.01	Spain	1.70
Liberia	0.01	Sri Lanka	0.02
Libya	0.23	Sudan	0.01
Luxembourg	0.05	Suriname	0.01
Madagascar	0.01	Swaziland	0.01
Malawi	0.01	Sweden	1.31
Malaysia	0.09	Syria	0.03
Maldives	0.01	Tanzania	0.01
Mali	0.01	Thailand	0.10
Malta	0.01	Togo	0.01
Mauritania	0.01	Trinidad and Tobago	0.03
Mauritius	0.01	Tunisia	0.03
Mexico	0.76	Turkey	0.30
Mongolia	0.01	Uganda	0.01
Morocco	0.05	Ukrainian S.S.R.	1.46
Mozambique	0.01	U.S.S.R.	11.10
Nepal	0.01	United Arab Emirates	0.10
Netherlands	1.63	United Kingdom	4.46
New Zealand	0.27	United States of America	25.00
Nicaragua	0.01	Upper Volta	0.01
Niger	0.01	Uruguay	0.04
Nigeria	0.16	Venezuela	0.50
Norway	0.50	Viet Nam	0.03
Oman	0.01	Yemen (Aden)	0.01
Pakistan	0.07	Yemen (Sanaa)	0.01
Panama	0.02	Yugoslavia	0.42
Papua New Guinea	0.01	Zaire	0.02
Paraguay	0.01	Zambia	0.02
Peru	0.06		
		Grand total	100.00

In accordance with rule 160 of the rules of procedure of the General Assembly, states not members of the United Nations but which participate in certain of its activities shall be called upon to contribute toward the expenses incurred on the basis of the following rates:

Non-member state	Percent
Democratic People's Republic of Korea	0.05
Holy See	0.01
Liechtenstein	0.01
Monaco	0.01
Nauru	0.01
Republic of Korea	0.15
San Marino	0.01
Switzerland	1.05
Tonga	0.01

The following countries being called upon to contribute to the:

(a) International Court of Justice

Liechtenstein
San Marino
Switzerland

(b) Programs Related to International Drug Control

Holy See
Liechtenstein
Monaco
Republic of Korea
Switzerland
Tonga

(c) Economic and Social Commission for Asia and the Pacific

Republic of Korea

(d) Economic Commission for Europe

Switzerland

(e) United Nations Conference on Trade and Development

Democratic People's Republic of Korea
Holy See
Liechtenstein
Monaco
Republic of Korea
San Marino
Switzerland
Tonga

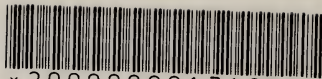
(f) United Nations Industrial Development Organization

Holy See
Liechtenstein
Monaco
Republic of Korea
Switzerland

(g) United Nations Environment Program

Switzerland

Notwithstanding the provisions of General Assembly resolution 32/39, Tonga shall be called upon to contribute to the expenses of the U.N. Conference on Trade and Development at the rate of three-quarters of 0.01% for the year 1979.



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